

## Railroad Retirement Board Privacy Act Systems of Records

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[2001 Privacy Act]

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### #.RAILROAD RETIREMENT BOARD

#### #..Systems of Records

**RRB-1**--Social Security Benefit Vouchering System

**RRB-3**--Medicare, Part B (Supplementary Medical Insurance Payment System--Contracted to a United Health Care Insurance Company)

**RRB-4**--Microfiche of Estimated Annuity, Total Compensation and Residual Amount File

**RRB-5**--Master File of Creditable Service and Compensation of Railroad Employees

**RRB-6**--Unemployment Insurance Record File

**RRB-7**--Applications for Unemployment Benefits and Placement Service Under the Railroad Unemployment Insurance Act

**RRB-8**--Railroad Retirement Reconciliation System (Employee Representatives)

**RRB-10**--Legal Opinion Files

**RRB-11**--Files on Concluded Litigation

**RRB-12**--Railroad Employees' Registration File

**RRB-16**--Social Security Administration Master Earnings File

**RRB-17**--Appeal Decisions From Initial Denials for Benefits Under the Provisions of the Railroad Retirement Act or the Railroad Unemployment Insurance Act.

**RRB-18**--Travel and Miscellaneous Voucher Examining System

**RRB-19**--Payroll Record System

**RRB-20**--Health Insurance and Supplementary Medical Insurance Enrollment and Premium Payment System (MEDICARE)

**RRB-21**--Railroad Unemployment and Sickness Insurance Benefit System

**RRB-22**--Railroad Retirement, Survivor, and Pensioner Benefit System

**RRB-26**--Payment, Rate and Entitlement History File

**RRB-27**--Railroad Retirement Board--Social Security Administration Financial Interchange System

**RRB-28**--One Percent Historical File of Railroad Unemployment and Sickness Beneficiaries

**RRB-29**--Railroad Employees' Cumulative Gross Earnings Master File

**RRB-33**--Federal Employee Incentive Awards System

**RRB-34**--Employee Personnel Management Files

**RRB-37**--Medical Records on Railroad Retirement Board EmployeesSystem

**RRB-42**--Benefit Overpayment Accounts.

**RRB-43**--Investigation Files.

**RRB-44**--Employee Test Score File.

**RRB-45**--Employee Tuition Reimbursement Files.

## Railroad Retirement Board Privacy Act Systems of Records

---

**RRB-46**--Personnel Security Files.

**RRB-48**--Employee Identification Card Files (Building Passes).

**RRB-49**--Telephone Call Detail Records.

**RRB-50**--Child Care Tuition Assistance Program.

**RRB-51**--Railroad Retirement Board's Customer PIN/Password (PPW) Master File System.

Appendix I--Offices of the U.S. Railroad Retirement Board

Appendix II--Medicare Part B Field Offices

#.. **RRB-1**

#....System name: Social Security Benefit Vouchering System--**RRB**.

System location: U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611

Categories of individuals covered by the system: Applicants after December 31, 1974, for benefits under Title II of the Social Security Act who have completed ten years of creditable service in the railroad industry, the spouse and/or divorced spouse or survivor of such an individual.

Categories of records in the system: Name, address, social security number, **RRB** claim number, type and amount of benefit, suspension and termination information.

Authority for maintenance of the system: Section 7(b)(2) of the Railroad Retirement Act of 1974 (45 U.S.C. 231f(b)(2)).

Purpose(s):

Records in the Social Security Vouchering System are maintained to administer Title II of the Social Security Act with respect to payment of benefits to individuals with 10 or more years of railroad service and their families.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. Benefit rate information may be disclosed to primary beneficiaries regarding secondary beneficiaries (or vice versa) when the addition of such beneficiary affects either the entitlement or benefit payment.

b. In the event the Board has determined to designate a person to be the representative payee of an incompetent beneficiary, disclosure of information concerning the benefit amount and other similar information may be made to the representative payee from the record of the individual.

c. Benefit rates, names and addresses may be released to the Department of Treasury to control for reclamation and return of outstanding benefit payments, to issue benefit payments, act on reports of non-receipt, to insure delivery of payments to the correct address of the beneficiary or representative payee or to proper financial organization, and to investigate alleged forgery, theft or unlawful negotiation of railroad retirement for social security benefit checks or improper diversion of payments directed to a financial organization.

d. Beneficiary's name, address, check rate and date plus

supporting evidence may be released to the U.S. Postal Service for investigation of alleged forgery or theft of railroad retirement or social security benefit checks.

e. Beneficiary identifying information, effective date, benefit rates, and months paid may be furnished to the Department of Veterans Affairs for the purpose of assisting that agency in determining eligibility for benefits or verifying continued entitlement to and the correct amount of benefits payable under programs which it administers.

f. Benefit rates and effective dates may be disclosed to the Social Security Administration, Bureau of Supplemental Security Income, to Federal, State and local welfare or public aid agencies to assist them in processing applications for benefits under their respective programs.

g. Last addresses information may be disclosed to the Department of Health and Human Services in conjunction with the Parent Locator Service.

h. Benefit rates, entitlement and other necessary information may be released to the Department of Labor in conjunction with payment of benefits under the Federal Coal Mine and Safety Act.

i. Pursuant to a request from an employer covered by the Railroad Retirement Act or the Railroad Unemployment Insurance Act or from an organization under contract to an employer or employers, information regarding the Board's payment of benefits, the methods by which such benefits are calculated, entitlement data and present address may be released to the requesting employer or the organization under contract to the employer or employers for the purposes of determining entitlement to and the rates of private supplemental pension benefits and to calculate estimated benefits due.

j. If a request for information pertaining to an individual is made by an official of a labor organization of which the individual is a member and the request is made on behalf of the individual, information from the record of the individual concerning his benefit or anticipated benefit and concerning the method of calculating that benefit may be disclosed to the labor organization official.

k. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

l. Information may be released to contractors to fulfill contract requirements pertaining to specific activities related to the Railroad Retirement Act.

m. Records may be disclosed to the General Accounting Office for auditing purposes and for collection of debts arising from overpayments under Title II of the Social Security Act, as amended.

n. Records may be disclosed in a court proceeding relating to any claims for benefits by the beneficiary under the Railroad Retirement Act and may be disclosed during the course of an administrative appeal to individuals who need the records to prosecute or decide the appeal or to individuals who are requested to provide information relative to an issue involved in the appeal.

o. In the event that this system of records, maintained by the

Railroad Retirement Board to carry out its functions, indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in this system of record may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, provided that disclosure would be to an agency engaged in functions related to the Railroad Retirement Act or provided that disclosure would be clearly in the furtherance of the interest of the subject individual.

p. Information in this system of records may be released to the attorney representing an individual in connection with that individual's claim for benefits under the Railroad Retirement Act or Title II of the Social Security Act, as amended, upon receipt of a written letter or declaration stating the fact of representation subject to the same procedures and regulatory prohibitions as the subject individual.

q. For payments made after December 31, 1983, beneficiary identifying information, address, amounts of benefits paid and repaid, beneficiary withholding instructions, and amounts withheld by the **RRB** for tax purposes may be furnished to the Internal Revenue Service for tax administration.

r. Beneficiary identifying information, entitlement data, and benefit rates may be released to the Department of State and embassy and consular officials, to the American Institute on Taiwan, and to the Department of Veterans Affairs Regional Office, Philippines, to aid in insuring the continued payment of beneficiaries living abroad.

s. Relevant information may be furnished to the Office of the President for responding to an individual pursuant to an inquiry from that individual or a third party in his/her behalf.

t. Entitlement data and benefit rates may be released to any court, state, agency, or interested party, or to the representative of such court, state agency, or interested party, in connection with contemplated or actual legal or administrative proceeding concerning domestic relations and support matters.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper, magnetic tape and microforms.

Retrievability: Social security account number, full name.

Safeguards: Records are maintained in areas not accessible to the public; buildings are secured (guard service).

Retention and disposal:

Paper: Individual claim folders with records of all actions pertaining to the payment of claims are transferred to the Federal Records Center, Chicago, Illinois 5 years after the date of last payment or denial activity if all benefits have been paid, no future eligibility is apparent and no erroneous payments are outstanding. The claim folder is destroyed 25 years after the date it is received

in the center. Accounts receivable listings and checkwriting operations daily activity listings are transferred to the Federal Records Center 1 year after date of issue and are destroyed 6 years and 3 months after receipt at the center. Other paper listings are destroyed 1 year after the date of issue. Changes of address source documents are destroyed after 1 year. Magnetic tape: Tapes are updated at least monthly. For disaster recovery purposes, certain tapes are stored for 12-18 month periods. Microforms: Originals are kept for 3 years, transferred to the Federal Records Center and destroyed when 8 years old. One duplicate copy is kept 2 years and destroyed by shredding. All other duplicate copies are kept 1 year and destroyed by shredding.

System manager(s) and address: Office of Programs--Director of Policy and Systems, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 606112092.

Notification procedure: Requests for information regarding an individual's records should be in writing, including full name, social security number and railroad retirement claim number (if any) of the individual. Before any information about any record will be released, the individual may be required to provide proof of identity, or authorization from the individual to permit release of information. Such requests should be sent to: Office of Programs--Director of Operations, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611-2092.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: Individual applicant or his or her authorized representative, the Social Security Administration, other record systems maintained by the Railroad Retirement Board.

### #..RRB-3

#....System name: Medicare: Part B (Supplementary Medical Insurance Payment System--Contracted to a United Health Care) Company--**RRB**.

System location:

Palmetto Government Benefit Administrators, 17 Technology Circle, Columbia, South Carolina 29203-9591; Regional Office; PO Box 10066, Augusta, Georgia 30999.

Categories of individuals covered by the system: Qualified railroad retirement beneficiaries covered by MEDICARE, Part B, who file claims under the medical insurance program.

Categories of records in the system: Name, health insurance claim number, address, date of birth, telephone number, description of illness and treatment pertaining to claim, indication of other health insurance or medical assistance pertinent to claim, date(s) and place(s) of physician service, description of medical procedures, services or supplies furnished, nature of illness(es), medical charges, name, address and telephone of physician, identifying number of provider, designation of payee, Part B entitlement date, Part B deductible status and amount of payment to beneficiary or payee.

Authority for maintenance of the system: Section 7(d) of the Railroad Retirement Act of 1974 (45 U.S.C. 231f(d)).

Purpose(s):

Records in this system are maintained to administer the supplementary medical insurance (Part B) portion of Medicare under Title XVIII of the Social Security Act for qualified railroad retirement beneficiaries.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. In the event the Board has determined to designate a person to be the representative payee of an incompetent beneficiary, disclosure of information concerning the benefit amount and other similar information may be made to the representative payee from the record of the individual.

b. Information regarding payments and deductibles may be released to the Department of Health and Human Services for use in administering Title XVII of the Social Security Act, as amended, and to establish, audit, and maintain account and vouchering records.

c. Records may be disclosed in a court proceeding relating to any claims for benefits under Title XVIII of the Social Security Act and may be disclosed during the course of an administrative appeal hearing to individuals who need the records to prosecute or decide the appeal or to individuals who are requested to provide information relative to an issue involved in the appeal.

d. Records may be disclosed to the General Accounting Office for auditing purposes and for collection of debts arising from overpayments under Title XVIII of the Social Security Act.

e. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

f. Pursuant to a request from an employer covered by the Railroad Retirement Act or the Railroad Unemployment Insurance Act, information regarding the status of a qualified railroad retirement beneficiary's enrollment in Medicare and premium payment status may be released to the requesting employer for the purposes of coordinating employee supplemental welfare benefits.

g. If a request for information pertaining to an individual is made by an official of a labor organization of which the individual is a member and the request is made on behalf of the individual, information from the record of the individual concerning his entitlement and premium status may be disclosed to the labor organization official.

h. In the event that this system of records maintained by the Railroad Retirement Board to carry out its functions, indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in this system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing

or implementing the statute, rule, regulation, or order issued pursuant thereto, provided that disclosure would be to an agency engaged in functions related to the Railroad Retirement Act or provided that disclosure would be clearly in the furtherance of the interest of the subject individual.

i. Information in this system of records may be released to the attorney representing an individual in connection with that individual's claim for benefits under the Railroad Retirement Act or Title XVIII of the Social Security Act, as amended, under receipt of a written letter or declaration stating the fact of representation, subject to the same procedures and regulatory prohibitions as the subject individual.

j. Information may be furnished to the U.S. Postal Service and to State and local police authorities for investigation of the loss, theft, and/or forgery of Medicare checks.

k. Information may be furnished to the State licensing boards for review of unethical practices or nonprofessional conduct. When such information has been disclosed to a State licensing board, it may also be disclosed when requested to State agencies investigating such conduct under Titles V and XIX and to the CHAMPUS (Civilian Health and Medical Program of the Uniformed Services) organization and to CHAMPUS contractors that are not also Medicare contractors.

l. General guidelines dealing with length of stay, diagnosis and other criteria used in the claims process to establish the basis for payment may be disclosed to the requester. Information regarding physicians' prevailing or customary charges may be furnished.

m. The following general types of information may be disclosed to Title XIX agencies (to a state agency or to a carrier acting for a State agency charged with administration of a program under Title XIX): Physician, other practitioner and supplier identification numbers, and charges of physicians or other practitioners or suppliers for services furnished to beneficiaries.

n. Information on such matters as entitlement, benefit payment, or benefit utilization relating to an individual may be disclosed to any State agency or to a carrier acting for a State agency charged with the administration of a program under Title XIX.

Note: Disclosure to State agencies administering other Federal grants-in-aid programs requires the authorization of the beneficiary or his/her legal representative.

o. Relevant information may be disclosed to the Office of the President for responding to an individual pursuant to an inquiry from that individual or from a third party in his/her behalf.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper, magnetic tape and microforms.

Retrievability: Health insurance claim number, name.

Safeguards: The insurance company is bound by the contract set forth by the Railroad Retirement Board which contains specific instruction regarding its responsibility in claim information handled and released. It is also bound by the same regulations regarding disclosure and security of information as the Board itself.

## Railroad Retirement Board Privacy Act Systems of Records

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Retention and disposal: Records are maintained by the insurance company office for 27 months. At the end of 27 months the material is sent to the storage areas maintained by the insurance company. Records are retained and stored in accordance with guidelines issued by HCFA.

System manager(s) and address:

Office of Programs--Director of Policy and Systems, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611-2092

Notification procedure: Requests for information regarding an individual's record should be in writing, including the full name, social security number and railroad retirement claim (if any) of the individual. Before information about any record will be released, the individual may be required to provide proof of identity, or authorization from the individual to permit release of information. Such requests should be sent to: Office of Programs--Director of Operations, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611-2092.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: Claimant, his/her authorized representative or his/her survivors, the Social Security Administration, the Health Care Financing Administration and its contractors, physicians, and hospitals.

### Appendix II: Railroad Part B Regional Offices

#### Regions, and States and Territories in Region

##### Southeastern

PO Box 10066

Augusta, GA 30903

Phone (404) 736-4451

Alabama, District of Columbia, Florida, Georgia, Kentucky, Maryland, Mississippi, North Carolina, Puerto Rico, South Carolina, Tennessee, Virgin Islands, Virginia, and West Virginia

##### Northeastern

PO Box 395

Albany, NY 12201

Phone (518) 459-8900

Connecticut, Delaware, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont.

##### North Central

2200 East 170th Street

Lansing, IL 60438

Phone (312) 895-0700

Illinois, Indiana, Iowa, Michigan, Minnesota, North Dakota, Ohio, South Dakota, and Wisconsin.

##### South Central

PO Box 5493

Dallas, TX 75222

Phone (214) 272-6560

Arkansas, Colorado, Kansas, Louisiana, Missouri, Nebraska, New



## Railroad Retirement Board Privacy Act Systems of Records

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Mexico, Oklahoma, and Texas

Western

PO Box 30050

Salt Lake City, UT 84125

Phone (801) 486-3161

Alaska, Arizona, California, Hawaii, Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming.

#..RRB-4

#....System name: Microfiche of Estimated Annuity, Total Compensation and Residual Amount File--RRB.

System location:

U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611-2092.

Categories of individuals covered by the system: Railroad employees who never filed an application for an annuity, have not been reported to be deceased and who either worked in the current reporting year or have at least 120 months of creditable service.

Categories of records in the system: For employees with less than 120 months of service: SSN, name, date of birth, sex, cumulative service, cumulative tier 1 compensation, daily pay rate, employer number, gross residual, year last worked, number and pattern of months worked in year last worked, tier 1 compensation for year last worked, tier 2 compensation for year last worked. For railroad employees with 120 or more months of service; all of the above information plus estimated annuity data and SSA data.

Authority for maintenance of the system: Section 7(b)(6) of the Railroad Retirement Act of 1974 (45 U.S.C. 231f(b)(6)).

Purpose(s):

The primary purposes of the system is to provide field offices with the capability of furnishing annuity estimates to prospective beneficiaries. The system is also used by field offices to provide temporary annuity rates that the Division of Operations may issue to applicants for employee and spouse benefits.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. Entitlement information may be disclosed to primary beneficiaries regarding secondary beneficiaries (or vice versa) when the addition of such beneficiary affects either the entitlement or benefit payment.

b. Information may be disclosed to contractors to fulfill contract requirements pertaining to specific activities related to the Railroad Retirement Act or the Railroad Unemployment Insurance Act.

c. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

d. Pursuant to a request from an employer covered by the Railroad Retirement Act or the Railroad Unemployment Insurance Act,

information regarding the Board's estimated payment of unemployment, sickness or retirement benefits, the methods by which such benefits are calculated and entitlement data may be released to the requesting employer for the purposes of determining entitlement to and the rates of private supplemental pensions, sickness or unemployment benefits and to calculate estimated benefits due.

e. If a request for information pertaining to an individual is made by an official of a labor organization of which the individual is a member and the request is made on behalf of the individual, information from the record of the individual concerning his anticipated benefit and concerning the method of calculating that benefit may be disclosed to the labor organization official.

f. Information in this system of records may be released to the attorney representing an individual in connection with that individual's claim for benefits under the Railroad Retirement Act or the Railroad Unemployment Insurance Act, upon receipt of a written letter or declaration stating the fact of representation, subject to the same procedures and regulatory prohibitions as the subject individual.

g. Relevant information may be furnished to the Office of the President for responding to an individual pursuant to an inquiry from that individual or a third party in his/her behalf.

h. Annuity estimates may be released to any court, state agency, or interested party, or the representative of such court, state agency, or interested party, in connection with contemplated or actual legal or administrative proceeding concerning domestic relations and support matters.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: On-line mainfram system.

Retrievability: Social security number.

Safeguards: Only authorized personnel have access to these records. Access is determined by internal computer system security levels.

Retention and disposal: A maximum of two sets of MARC records (the current and prior MARC) are maintained on-line with the oldest set deleted when a new MARC is produced.

System manager(s) and address: Office of Programs--Director of Policy and Systems, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611-9092.

Notification procedure: Request for information regarding an individual's record should be in writing, including the full name, social security number and railroad retirement claim number (if any) of the individual. Before information about any record will be released, the individual may be required to provide proof of identity, authorization from the individual to permit release of information. Such requests should be sent to: Office of Programs--Director of Operations, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611-2092.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: Information which is secured from the

## Railroad Retirement Board Privacy Act Systems of Records

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original master records is made available to all authorized headquarters and field service users.

### #..RRB-5

#....System name: Master File of Creditable Service and Compensation of Railroad Employees--**RRB**.

System location: U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

Categories of individuals covered by the system: All individuals with creditable service under the Railroad Retirement and Railroad Unemployment Insurance Acts.

Categories of records in the system: Individual name, social security number, claim number, annuity beginning date, date of birth, sex, race, last employer identification number, amount of daily payrate if under \$100, ICC occupation code, creditable service and compensation from 1937 to date, home address, and date of death.

Authority for maintenance of the system: Section 7(b)(6) of the Railroad Retirement Act of 1974 (45 U.S.C. 231f(b)(6)) and section 12(1) of the Railroad Unemployment Insurance Act (45 U.S.C. 362(1)).

Purpose(s):

The purpose of this system is to store railroad earnings of railroad employees which are used to determine entitlement to and amount of benefits payable under the Railroad Retirement Act, the Railroad Unemployment Insurance Act and the Social Security Act, if applicable. The records are updated daily based on earnings reports received from railroad employers and the Social Security Administration and are stored in the Employment Data Maintenance Application database.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: a. Records may be transferred to the Social Security Administration to correlate disability freeze actions and in the cases where the railroad employees do not acquire 120 creditable service months before retirement or death or have no current connection with the railroad industry, to enable SSA to credit the employee with the compensation and to pay or deny benefits.

b. Yearly service months, cumulative service months, yearly creditable compensation and cumulative creditable compensation may be released to the employees directly or through their respective employer.

c. Service months and earnings may be released to employers or former employers for correcting or reconstructing earnings records for railroad employees.

d. Information may be released to contractors to fulfill contract requirements pertaining to specific activities related to the Railroad Retirement Act and/or the Railroad Unemployment Insurance Act.

e. Employee identification and potential entitlement may be furnished to the Social Security Administration, Bureau of

Supplemental Security Income, to Federal, State, and local welfare or public aid agencies to assist them in processing application for benefits under their respective programs.

f. Employee identification and other pertinent information may be released to the Department of Labor in conjunction with payment of benefits under the Federal Coal Mine and Safety Act.

g. The last employer information may be disclosed to the Department of Health and Human Services in conjunction with the Parent Locator Service.

h. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

i. Pursuant to a request from an employer covered by the Railroad Retirement Act or the Railroad Unemployment Insurance Act, information, regarding the employee's potential eligibility for unemployment, sickness or retirement benefits may be released to the requesting employer for the purpose of determining entitlement to and the rates of private supplemental pension, sickness or unemployment benefits and to calculate estimated benefits due from the employer.

j. If a request for information pertaining to an individual is made by an official of a labor organization of which the individual is a member and the request is made on behalf of the individual, information from the record of the individual concerning his anticipated benefit may be disclosed to the labor organization official.

k. Records may be disclosed in a court proceeding relating to any claims for benefits by the beneficiary under the Railroad Retirement Act or the Railroad Unemployment Insurance act and may be disclosed during the course of an administrative appeal to individuals who need the records to prosecute or decide the appeal or to individuals who are requested to provide information relative to an issue involved in the appeal.

l. In the event that this system of records, maintained by the Railroad Retirement Board to carry out its functions, indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in this system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, provided that disclosure would be to an agency engaged in functions related to the Railroad Retirement Act or the Railroad Unemployment Insurance Act or provided that disclosure would be clearly in the furtherance of the interest of the subject individual.

m. Information in this system of records may be released to the attorney representing an individual in connection with that individual's claim for benefits under the Railroad Retirement Act or the Railroad Unemployment Insurance Act, upon receipt of a written

letter or declaration stating the fact of representation, subject to the same procedures and regulatory prohibitions as the subject individual.

n. All records may be disclosed to the Social Security Administration for purposes of administration of the Social Security Act.

o. Service and compensation and last employer information may be furnished, upon request, to state agencies operating unemployment or sickness insurance programs for the purposes of their administering such programs.

p. Relevant information may be furnished to the Office of the President for responding to an individual pursuant to an inquiry from that individual or a third party in his/her behalf.

q. The name and address of a railroad worker may be released to a member of Congress when the member requests it in order that he or she may communicate with the worker about legislation which affects the railroad retirement or railroad unemployment and sickness insurance program.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape, magnetic disk and paper.

Retrievability: Social security number, claim number and name.

Safeguards: Magnetic tape and magnetic disk: Computer and computer storage rooms are restricted to authorized personnel; on-line query safeguards include a lock/unlock password system, a terminal oriented transaction matrix and an audit trail. Paper: Bound in hard covers and stored on steel shelving accessible to only authorized personnel.

Retention and disposal: Magnetic tape and magnetic disk: Permanent retention; updated annually. Paper: Retained five years and destroyed last year ledger put in storage when current year ledger complete.

System manager(s) and address: Office of Programs--Director of Policy and Systems, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611-2092.

Notification procedure: Requests for information regarding an individual's record should be in writing, including the full name, social security number and railroad retirement claim number (if any) of the individual. Before any information about any record will be released, the individual may be required to provide proof of identity, or authorization from the individual to permit release of information. Such requests should be sent to: Office of Programs--Assessment & Training, Chief of Employer Service and Training Center, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611-2092.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: Railroad employer.

#..**RRB-6**

#....System name: Unemployment Insurance Record File--**RRB**.

## Railroad Retirement Board Privacy Act Systems of Records

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System location: District Offices: See Appendix I for addresses.

Categories of individuals covered by the system: Claimants for unemployment benefits under the Railroad Unemployment Insurance Act and their respective employers.

Categories of records in the system: Development file containing letters from claimants, report of Railroad Unemployment Insurance Act fraud investigations and supporting evidence, erroneous payment investigations, protest and appeal requests and responses.

Authority for maintenance of the system: Section 12(1) of the Railroad Unemployment Insurance Act (45 U.S.C. 362(1))

Purpose(s):

This system of records is used for filing general information about applicants for RUIA benefits. If an applicant files for UI benefits, some of the information in this file will be also placed in the claimants UI file.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. Beneficiary identifying information may be released to third party contacts to determine if incapacity of the beneficiary or potential beneficiary to understand or use benefits exists, and to determine the suitability of a proposed representative payee.

b. Benefit rate, name and address may be referred to the Treasury Department to control for reclamation and return of outstanding benefit checks, to issue benefit checks, reconcile reports of non-delivery, and to insure delivery of payments to the correct address or account of the beneficiary or representative payee.

c. Beneficiary's name, address, payment rate, date and number, plus supporting evidence may be released to the U.S. Postal Service for investigation of alleged forgery or theft of railroad unemployment or sickness benefit payments.

d. Identifying information such as full name, address, date of birth, social security number, employee identification number, and date last worked, may be released to any last employer to verify entitlement for benefits under the Railroad Unemployment Insurance Act.

e. Pursuant to a request from an employer covered by the Railroad Retirement Act or the Railroad Unemployment Insurance Act, information regarding the Board's payment of unemployment or sickness benefits, the methods by which such benefits are calculated, entitlement data and present address may be released to the requesting employer for the purposes of determining entitlement to and rates of private supplemental pension, sickness or unemployment benefits and to calculate estimated benefits due.

f. Benefit rates and effective dates may be released to the Social Security Administration, Bureau of Supplemental Security Income, to Federal, State and local welfare or public aid agencies to assist them in processing applications for benefits under their respective programs.

g. In the event the Board has determined to designate a person to be the representative payee of an incompetent beneficiary, disclosure of information concerning the benefit amount and other similar

information may be made to the representative payee from the record of the individual.

h. Records may be disclosed to the General Accounting Office for auditing purposes and for collection of debts arising from overpayments under the Railroad Unemployment Insurance Act, as amended.

i. The last addresses and employer information may be disclosed to the Department of Health and Human Services in conjunction with the Parent Locator Service.

j. Disclosure may be made to a congressional office from the record of the individual in response to an inquiry from the congressional office made at the request of that individual.

k. If a request for information pertaining to an individual is made by an official of a labor organization of which the individual is a member and the request is made on behalf of the individual, information from the record of the individual concerning this benefit or anticipated benefit may be disclosed to the labor organization official.

l. Records may be disclosed in a court proceeding relating to any claims for benefits by the beneficiary under the Railroad Unemployment Insurance Act and may be disclosed during the course of an administrative appeal to individuals who need the records to prosecute or decide the appeal or to individuals who are requested to provide information relative to an issue involved in the appeal.

m. In the event that this system of records, maintained by the Railroad Retirement Board to carry out its functions, indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, provided that disclosure would be to an agency engaged in functions related to the Railroad Unemployment Insurance Act or provided that disclosure would be clearly in the furtherance of the interest of the subject individual.

n. Non-medical information in this system of records may be released to the attorney representing such individual upon receipt of a written letter or declaration stating the fact of representation, subject to the same procedures and regulatory prohibitions as the subject individual. Medical information may be released to an attorney when such records are requested for the purpose of contesting a determination either administratively or judicially.

o. Beneficiary identifying and claim period information may be furnished to states for the purpose of their notifying the **RRB** whether claimants were paid state unemployment or sickness benefits and also whether wages were reported for them. For claimants that a state identifies as having received state unemployment benefits, **RRB** benefit information may be furnished the state for the purpose of

recovery of the amount of the duplicate payments which is made.

p. Relevant information may be furnished to the Office of the President for responding to an individual pursuant to an inquiry from that individual or a third party in his/her behalf.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: Name, social security number.

Safeguards: Kept in steel file cabinets away from the general public and are available only to district office and regional office personnel.

Retention and disposal: Shredded five years after end of benefit year in which originated.

System manager(s) and address:

Office of Programs--Director of Policy and Systems, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611-2052.

Notification procedure: Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name and social security number and claim number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: Individual claimant or his authorized representative, employers, State employment and unemployment claims records, Federal, and Social Security Administration employer compensation reports.

### **#..RRB-7**

**#....System name: Applications for Unemployment Benefits and Placement Service under the Railroad Unemployment Insurance Act--RRB.**

System location: District Offices: See Appendix I for addresses.

Categories of individuals covered by the system: Individuals who have made application for unemployment benefits and employment service.

Categories of records in the system: Name, address, account number, age, sex, education, employer, occupation, rate of pay, reason not working and last date worked, personal interview record, results of investigations.

Authority for maintenance of the system: Section 12(1) of the Railroad Unemployment Insurance Act (45 U.S.C. 362(1)).

Purpose(s):

The purpose of this system of records is to be used as an individual's UI file. The records contained in the file are pertinent to the individual's claim for unemployment benefits under the UIA.



Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. Selected information may be disclosed to prospective employers for potential job placement.

b. In the event the Board has determined to designate a person to be the representative payee of an incompetent beneficiary, disclosure of information concerning the benefit amount and other similar information may be made to the representative payee from the record of the individual.

c. Beneficiary identification and entitlement information may be released to third party contacts to determine if incapacity of the beneficiary or potential beneficiary to understand or use benefits exists, and to determine the suitability of a proposed representative payee.

d. A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter, provided that disclosure would be clearly in the furtherance of the interest of the subject individual.

e. Beneficiary identification, entitlement, and benefit rate information may be released to the Treasury Department to control for reclamation and return of outstanding benefit payments, to issue benefit payments, reconcile reports of non-delivery and to insure delivery of payments to the correct address or account of the beneficiary or representative payee.

f. Information may be referred to the U.S. Postal Service for investigation of alleged forgery or theft of railroad unemployment or sickness benefit checks.

g. Beneficiary identification, entitlement, and benefit rate information may be released to the Social Security Administration, Bureau of Supplemental Security Income, to Federal, State, and local welfare or public aid agencies to assist them in processing applications for benefits under their respective programs.

h. The last addresses and employer information may be disclosed to Department of Health and Human Services in conjunction with the Parent Locator Service.

i. Information may be released to contractors to fulfill contract requirements pertaining to specific activities related to the Railroad Unemployment Insurance Act.

j. Records may be disclosed to the General Accounting Office for auditing purposes and for collection of debts arising from overpayments under the Railroad Unemployment Insurance Act, as amended.

k. Identifying information such as full name, address, date of birth, social security number, employee identification number, and date last worked, may be released to any last employer to verify entitlement for benefits under the Railroad Unemployment Insurance

Act.

l. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

m. Pursuant to a request from an employer covered by the Railroad Retirement Act or the Railroad Unemployment Insurance Act, information regarding the Board's payment of unemployment or sickness benefits, the methods by which such benefits are calculated, entitlement data and present address will be released to the requesting employer for the purposes of determining entitlement to and rates of private supplemental pension, sickness or unemployment benefits and to calculate estimated benefits due.

n. If a request for information pertaining to an individual is made by an official of a labor organization of which the individual is a member and the request is made on behalf of the individual information from the record of the individual concerning his benefit or anticipated benefit and concerning the method of calculating that benefit may be disclosed to the labor organization official.

o. Records may be disclosed in a court proceeding relating to any claims for benefits by the beneficiary under the Railroad Unemployment Insurance Act and may be disclosed during the course of an administrative appeal to individuals who need the records to prosecute or decide the appeal or to individuals who are requested to provide information relative to an issue involved in the appeal.

p. In the event that this system of records, maintained by the Railroad Retirement Board to carry out its functions, indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, provided that disclosure would be to an agency engaged in functions related to the Railroad Unemployment Act or provided that disclosure would be clearly in the furtherance of the interest of the subject individual.

q. Non-medical information in this system of records may be released to the attorney representing such individual upon receipt of a written letter or declaration stating the fact of representation, subject to the same procedures and regulatory prohibitions as the subject individual. Medical information may be released to an attorney when such records are requested for the purpose of contesting a determination either administratively or judicially.

r. Relevant information may be furnished to the Office of the President for responding to an individual pursuant to an inquiry from that individual or a third party in his/her behalf.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

## Railroad Retirement Board Privacy Act Systems of Records

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Retrievability: Social security number.

Safeguards: Only authorized personnel have access to the records; offices locked during nonbusiness hours.

Retention and disposal: In routine cases, held for three years after end of benefit year in which originated. In those with adverse activities (claims denied), held for five years after end of benefit year in which originated. At end of both periods, files are shredded.

System manager(s) and address:

Office of Programs--Director of Policy and Systems, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611-2092

Notification procedure: Requests for information regarding an individual's record should be in writing, including the full name, social security number and railroad retirement claim number(if any) of the individual. Before information about any record will be released, the individual may be required to provide proof of identity, or authorization from the individual to permit release of information. such requests should be sent to: office of Programs--Director of Operations, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611-2092.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: Individual applicant or his authorized representative, present and former employers, State and Federal departments of employment security, Social Security Administration and labor organizations.

### #..RRB-8

#....System name: Railroad Retirement Reconciliation System (Employee Representatives),--RRB.

System location:

U.S. Railroad Retirement Board  
844 Rush Street  
Chicago, Illinois 60611

Categories of individuals covered by the system: Railroad employee representatives covered under the Railroad Retirement Act.

Categories of records in the system: Employee quarterly or annual railroad tax return.

Authority for maintenance of the system: Section 15 of the Railroad Retirement Act of 1974 (45 U.S.C. 231n)

Purpose:

The purpose of this system is to ensure that the earnings of employee representatives reported to the Internal Revenue Service for tax purposes agree with earnings reported to the **RRB** for benefit payment purposes.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. Service and earnings information may be released to the Internal Revenue Service and the Treasury Department to refund excess taxes.

## Railroad Retirement Board Privacy Act Systems of Records

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b. Records may be disclosed to the General Accounting Office for auditing purposes.

c. Service and earnings information may be released to employers or former employers for correcting or reconstructing earnings records for railroad retirement, supplemental or unemployment/sickness employment tax purposes only, not to be construed as an extension of the statutory time limitation to amend such records.

d. In the event that this system of records maintained by the Railroad Retirement Board to carry out its functions, indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, provided that disclosure would be to an agency engaged in functions related to the Railroad Retirement Act or provided that disclosure would be clearly in the furtherance of the interest of the subject individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: Name.

Safeguards: Records are maintained in areas not accessible to the public and are not permitted to be removed without authorization; secured building.

Retention and disposal: Employee's representatives' quarterly tax returns and tax reporting reconciliation file are retained for 6 years and 3 months after the period covered by the records and then are destroyed by shredding.

System manager(s) and address:

Chief, Financial Officer, U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611-2092.

Notification procedure: Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name and social security number. Before information about any record is released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: Railroad tax reports, creditable and taxable compensation.

#..RRB-10

#....System name: Legal Opinion Files--RRB.

## Railroad Retirement Board Privacy Act Systems of Records

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### System location:

U.S. Railroad Retirement Board  
844 Rush Street  
Chicago, Illinois 60611

Categories of individuals covered by the system: Applicants for benefits under the Railroad Retirement Act or the Railroad Unemployment Insurance Act.

Categories of records in the system: The files include a copy of the question submitted to the Bureau of Law for an opinion and a copy of the legal opinion rendered by the Bureau of Law. There may be copies of any correspondence between the Board and the individual or his employer concerning the question presented.

Authority for maintenance of the system: Section 7(b)(6) of the Railroad Retirement Act of 1974 (45 U.S.C. 231f(b)(6)) and section 12(1) of the Railroad Unemployment Insurance Act (45 U.S.C. 362(1)).

### Purpose(s):

The **RRB** needs to collect and maintain information contained in this system of records in order to make decisions regarding the claims for benefits of individual under various Acts administered by the **RRB**.  
Routine uses of records maintained in the system, including categories of users and the purposes of such uses: In the event that this system of records, maintained by the Railroad Retirement Board to carry out its functions, indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in this system of records may be referred, as routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, provided that disclosure would be to an agency engaged in functions related to the Railroad Retirement Act, the Railroad Unemployment Insurance Act, the Milwaukee Railroad Restructuring Act, the Rock Island Railroad Transition and Employee Assistance Act or that disclosure would be clearly in the furtherance of the interest of the subject individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: Name.

Safeguards: Stored in areas not accessible to the public in offices locked during non-business hours; access to these files is restricted to attorneys and other authorized Board employees.

### Retention and disposal:

Opinions of precedential interest or otherwise of lasting significance, and correspondence related to these opinions are retained permanently. Opinions of limited significance beyond the particular case, and correspondence related to these opinions, are retained in the individual's claim folder, if any, established under the Railroad Retirement Act. When no folder exists, these opinions,

## Railroad Retirement Board Privacy Act Systems of Records

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are destroyed by shredding 2 years after the date of the last action taken by the Bureau of Law on the matter.

System manager(s) and address: Deputy General Counsel, U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611

Notification procedure: Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name, social security number and claim number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: The subject person's authorized representative, other record systems maintained by the Railroad Retirement Board, employers.

#..**RRB--11**

#....System name: Files on Concluded Litigation-**RRB**.

System location: U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

Categories of individuals covered by the system: Railroad employees, retired railroad employees, and individuals with some creditable railroad service who are involved in litigation in which the Railroad Retirement Board has some interest as a party or otherwise.

Categories of records in the system: Legal briefs, reports on legal or factual issues involving copies of subpoenas which may have been issued, copies of any motions filed, transcripts of any depositions taken, garnishment process, correspondence received and copies of any correspondence released by the Board pertaining to the case, copies of any court rulings, and copies of the final decision in the case.

Authority for maintenance of the system: Section 7(b)(6) of the Railroad Retirement Act of 1974 (45 U.S.C. 231f(b)(6)) and section 12(1) of the Railroad Unemployment Insurance Act (45 U.S.C. 362(1)).

Purpose(s):

The **RRB** needs to collect and maintain records of concluded litigation to which the **RRB** was a party.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: In the event that this system of records, maintained by the Railroad Retirement Board to carry out its functions, indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in this system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such

## Railroad Retirement Board Privacy Act Systems of Records

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violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, provided that disclosure would be to an agency engaged in functions related to the Railroad Retirement Act, the Railroad Unemployment Insurance Act, the Milwaukee Railroad Restructuring Act, or the Rock Island Railroad Transition and Employee Assistance Act or provided that disclosure would be clearly in the furtherance of the interest of the subject individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: Name.

Safeguards: Stored in areas not accessible to the public in offices locked during non-business hours; access to these files is restricted to attorneys and other authorized Board employees.

Retention and disposal:

Files relating to cases of precedential interest are retained permanently. Files of cases involving routine matters, other than garnishments, are retained for 5 years after the case is closed, then shredded. Files relating to garnishment of benefits are retained until 2 years after the date garnishment terminates, then destroyed.

System manager(s) and address: Deputy General Counsel, U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

Notification procedure: Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name and social security number and claim number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: The individual himself or his authorized representative, other record systems maintained by the Railroad Retirement Board, employers, the Social Security Administration.

#..**RRB-12**

#....System name: Railroad Employees' Registration File--**RRB**.

System location:

U.S. Railroad Retirement Board  
844 Rush Street  
Chicago, Illinois 60611

Categories of individuals covered by the system: Individuals who had any employment for a railroad employer after 1936 who were assigned Social Security Numbers beginning with 700 through 728. (Use of the registration form was discontinued January 1, 1981.)

Categories of records in the system: Railroad employee's name, address, social security number, date of birth, place of birth,

## Railroad Retirement Board Privacy Act Systems of Records

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mother's and father's names, sex, occupation and employer.

Authority for maintenance of the system: Section 7(b)(6) of the Railroad Retirement Act of 1974 (45 U.S.C. 231f(b)(6)).

Purpose(s):

The purpose of the system is to provide information on railroad employees who completed Carrier Employee Registration forms (CER) to apply for a Social Security number (SSN). The information on these CERA-1 forms was available only at the Railroad Retirement Board.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. Records which consist of Name, date and place of birth, social security number, and parents' names may be disclosed to the Social Security Administration to verify social security number and date of birth.

b. Records may be disclosed in a court proceeding relating to any claims for benefits by the beneficiary under the Railroad Retirement Act, or Unemployment Insurance Act and may be disclosed during the course of an administrative appeal to individuals who need the records to prosecute or decide the appeal or to individuals who are requested to provide information relative to an issue involved in the appeal.

c. Records may be released to contractors to fulfill contract requirements pertaining to specific activities related to the Railroad Retirement Act and/or the Railroad Unemployment Insurance Act.

d. Information in this system of records may be released to the attorney representing such individual in connection with the individual's claim for benefits under the Railroad Retirement Act or the Railroad Unemployment Insurance Act, upon receipt of a written letter or declaration stating the fact of representation, subject to the same procedures and regulatory prohibitions as the subject individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Microfiche.

Retrievability: Social security number.

Safeguards: Stored in steel cabinets; available to authorized unit personnel.

Retention and disposal: Permanent retention.

System manager(s) and address: Office of Programs--Director of Policy and Systems, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611-2092.

Notification procedure: Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name and social security number and claim number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.



## Railroad Retirement Board Privacy Act Systems of Records

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Contesting record procedures: See Notification section above.  
Record source categories: Railroad employee and employer.

#..**RRB-16**

#....System name: Social Security Administration Master Earnings  
File--**RRB**.

System location:

U.S. Railroad Retirement Board  
844 Rush Street  
Chicago, Illinois 60611

Categories of individuals covered by the system:

Employees who have at least 108 creditable service months under the Railroad Retirement Act (RRA) or who attain eligibility for RRA benefits when military service is included as creditable railroad service.

Categories of records in the system: Social security account number, name, date of birth, gender, social security claim status, details of earnings and periods of employment that are creditable under the Social Security Act for years after 1936.

Authority for maintenance of the system: Section 7(b)(6) of the Railroad Retirement Act of 1974 (45 U.S.C. 231(b)(6)).

Purpose(s):

The purpose of this system of records is to have Social Security Act earnings information available to **RRB** benefit programs for determinations related to RRA benefit entitlement and amount. The records are stored in the Employment Data Maintenance database.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Internal use only.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Mainframe computer database.

Retrievability: Social security account number and name.

Safeguards: Mainframe computer database; computer and computer storage rooms are restricted to authorized personnel; on-line query safeguards include a lock/unlock password system; a terminal oriented transaction matrix; and an audit trail.

Retention and disposal: Updates are made to database weekly using files transmitted to **RRB** from SSA over telephone lines.

System manager(s) and address: Office of Programs--Director of Policy and Systems, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611-2092.

Notification procedure: Requests for information regarding an individual's record should be in writing, including the full name, social security number and railroad retirement claim number(if any) of the individual. Before information about any record will be released, the individual may be required to provide proof of identity, or authorization from the individual to permit release of information. Such requests should be sent to: Office of Programs--Assessment and Training, Chief of Employer Service and Training

## Railroad Retirement Board Privacy Act Systems of Records

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Center, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611-2092.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: Social Security Administration.

### #..RRB-17

#....System name: Appeal Decisions from Initial Denials for Benefits Under the Provisions of the Railroad Retirement Act or the Railroad Unemployment Insurance Act.

System location:

U.S. Railroad Retirement Board

844 Rush Street

Chicago, Illinois 60611

Categories of individuals covered by the system: Appellants under the provisions of the Railroad Retirement Act and the Railroad Unemployment Insurance Act.

Categories of records in the system: Narrative of the facts and law pertinent to the decision made by the appeals referee.

Authority for maintenance of the system: Section 7(b)(6) of the Railroad Retirement Act of 1974 (45 U.S.C. 231f(b)(6); sec. 12(1) of the Railroad Unemployment Insurance Act (45 U.S.C. 362(1)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

b. Pursuant to a request from an employer covered by the Railroad Retirement Act, information regarding the Board's payment of benefits, the methods by which such benefits are calculated, entitlement data and present address may be released to the requesting employer for the purposes of determining entitlement to and rates of private supplemental pension, sickness or unemployment benefits and to calculate estimated benefits due.

c. If a request for information pertaining to an individual is made by an official of a labor organization of which the individual is a member and the request is made on behalf of the individual, information from the record of the individual concerning his benefit or anticipated benefit and concerning the method of calculating that benefit may be disclosed to the labor organization official.

d. Records may be disclosed in a court proceeding relating to any claims for benefits by the beneficiary under the Railroad Retirement Act and may be disclosed during the course of an administrative appeal to individuals who need the records to prosecute or decide the appeal or to individuals who are requested to provide information relative to an issue involved in the appeal.

e. In the event that this system of records, maintained by the Railroad Retirement Board to carry out its functions, indicates a violation or potential violation of law, whether civil, criminal or

regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in this system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, provided that disclosure would be to an agency engaged in functions related to the Railroad Retirement Act or that disclosure would be clearly in the furtherance of interest of the subject individual.

f. Non-medical information in this system of records may be released to the attorney representing such individual upon receipt of a written letter or declaration stating the fact of representation, subject to the same procedures and regulatory prohibitions as the subject individual. Medical information may be released to an attorney when such records are requested for the purpose of contesting a determination either administratively or judicially.

g. Relevant information may be furnished to the Office of the President for responding to an individual pursuant to an inquiry from that individual or a third party in his/her behalf.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: Claim number or social security number, Bureau of Hearings and Appeals appeal number, or Bureau of Hearings and Appeals decision number.

Safeguards: Only authorized personnel have access to these records which are kept in an office that is locked at the close of business each day and remains so until start of business the next day.

Retention and disposal: The decisions are retained for a period of 2 years and then destroyed by shredding.

System manager(s) and address:

Director of Hearings and Appeals  
U.S. Railroad Retirement Board  
844 Rush Street  
Chicago, Illinois 60611

Notification procedure: Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name and social security number and claim number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: Information furnished by the appellant or his/her authorized representative, information developed by the hearings officer relevant to the appeal, and information contained in other record systems maintained by the Railroad Retirement Board.

#..RRB-18

#....System name: Travel and Miscellaneous Voucher Examining System--  
**RRB.**

System location:

U.S. Railroad Retirement Board

844 Rush Street

Chicago, Illinois 60611

Categories of individuals covered by the system: Railroad Retirement Board employees.

Categories of records in the system: Travel vouchers, miscellaneous reimbursement vouchers.

Authority for maintenance of the system: Section 7(b)(6) of the Railroad Retirement Act of 1974 (45 U.S.C. 231f(b)(6)) and Section 12(1) of the Railroad Unemployment Insurance Act (45 U.S.C. 362(1)).

Purpose(s);

The system is used to pay the operating expenses of the agency excluding payroll. Payment is made to vendors for goods and services. Employees are reimbursed for travel expenses related to the performance of their jobs. Payments are made within Federal limits and applicable guidelines.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. Identifying information and check amount may be released to the Treasury Department to issue checks.

b. Records may be disclosed to the General Accounting Office for auditing purposes.

c. Identifying information, check number, date and amount may be released to the U.S. Postal Service for investigation of alleged forgery or theft of reimbursement checks.

d. In the event that this system of records, maintained by the Railroad Retirement Board to carry out its functions, indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in this system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper and microfiche.

Retrievability: Name.

Safeguards: Records are maintained in areas not accessible to the public and are not permitted to be removed without authorization; secured building.

Retention and disposal: Retain at headquarters for two years then

to Chicago Federal Records Center--GSA will destroy when authorized by General Accounting Office.

System manager(s) and address:

Chief Financial Officer, U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611-2092

Notification procedure: Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name and social security number and claim number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: Employees travel records, memoranda from Regional Directors, and purchase orders.

#..**RRB-19**

#....System name: Payroll Record System-**RRB**.

System location: U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

Categories of individuals covered by the system: Railroad Retirement Board employees.

Categories of records in the system: Time, leave, payroll information, and supporting documentation relating to participation in the agency's transit benefit program.

Authority for maintenance of the system: Pay Acts as amended.

Purpose(s):

The purpose of this system is to maintain employee data related to earnings. This includes hours worked, time off, and premium pay. It is also used to calculate employee gross to net pay based on mandatory and elective deductions. Earnings data is accumulated and reported to Federal, State, and local taxing authorities. Employee benefit data is reported to the Office of Personnel Management to ensure accuracy and proper coverage.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. Salary and tax information may be disclosed to the Internal Revenue Service, the Social Security Administration, and state and city taxing authorities for tax purposes.

b. Service history including pay, benefits, salary deductions for retirement, and other information necessary may be disclosed to the Office of Personnel Management for use in the computation of civil service annuities and to carry out its Government-wide personnel management functions.

c. Computer payment information may be released to the Department of Treasury for issuance of salary payments.

d. Identification information, check number, data and amount,

plus other supporting evidence may be forwarded to the U.S. Postal Service for investigation of alleged forgery or theft of salary checks.

e. The last known address and employer information may be released to Department of Health and Human Services in conjunction with the Parent Locator Service.

f. Records may be disclosed to the General Accounting Office for auditing purposes.

g. In the event that this system of records, maintained by the Railroad Retirement Board to carry out its functions, indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto.

h. A copy of the employee's Form W-2, Wage and Tax Statement, or other similar form containing the name, social security number, taxable earnings and amounts withheld, may be released to the state, city or other local jurisdiction which is authorized to tax the employee's compensation in accordance with a withholding agreement between the state, city or other local jurisdiction, and the Department of the Treasury or the Social Security Administration, or in absence thereof, in response to a written request from an appropriate official of the taxing jurisdiction to the Director of Budget and Fiscal Operations, U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois, 60611.

i. For employees identified as having defaulted in the repayment of an obligation incurred under any statutory authority except the Internal Revenue Code, the Social Security Act or the U.S. tariff laws, pertinent payroll information, including home address information, may be disclosed to other Federal agencies for the purpose of collecting debts owed to those agencies or the **RRB**.

k. Transit benefit program documentation may be furnished to the Internal Revenue Service for tax administration purposes.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper, tape and microfiche.

Retrievability:

Social security number and name.

Safeguards:

Housed in security building and maintained in areas not accessible to the public; information released only at employee's request or to approved federal and local authorities.

Retention and disposal:

Consolidated pay tapes, first two master tapes, and last two master tapes for each year: Destroyed by erasing 3 years after close

## Railroad Retirement Board Privacy Act Systems of Records

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of calendar year in which prepared. Security record-current check issue tape: Destroyed by erasing when National Personnel Records Center receives second subsequent document covering same type of document. Paper: Destroyed by shredding after 3 years. Microfilm: Retained until replaced by a new record, usually within 1 year. Obsolete microfiche is destroyed by shredding.

System manager(s) and address: Chief Financial Officer, U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois. 60611-2092.

Notification procedure: Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name and social security number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: Railroad Retirement Board employees personnel action, time and attendance reports, deduction authorizations.

#...**RRB-20**

#....System name: Health Insurance and Supplementary Medical Insurance Enrollment and Premium Payment System (MEDICARE)-**RRB**.

System location: U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

District and Regional Offices: See Appendix I for addresses.

Categories of individuals covered by the system: Qualified Railroad Retirement beneficiaries who are eligible for medicare coverage, attending physicians, chiropractors and physical therapists.

Categories of records in the system: Claim number, social security number, name, address, type of beneficiary under the Railroad Retirement Act, date of birth, method of Supplementary Medical Insurance premium payment, enrollment status, amount of premium, paid-thru date, third party premium payment information, coverage jurisdiction determination, direct premium billing and premium refund accounting, correspondence from beneficiaries, physicians suspected of overutilization and those suspended from payment by Medicare.

Authority for maintenance of the system: Section 7(d) of the Railroad Retirement Act of 1974 (45 U.S.C. 231f(d)).

Purpose(s):

Records in this system are maintained to administer Title XVIII of the Social Security Act for qualified railroad retirement beneficiaries.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: a. Beneficiary identification, enrollment status and premium deductions information may be released to the Social Security Administration and the Health

Care Financing Administration to correlate actions with the administration of Title II and Title XVIII (MEDICARE) of the Social Security Act.

b. Beneficiary identification may be disclosed to third party contacts to determine if incapacity of the beneficiary or potential beneficiary to understand or use benefits exists, and to determine the suitability of a proposed representative payee.

c. In the event the Board has determined to designate a person to be the representative payee of an incompetent beneficiary, disclosure of information concerning the benefit amount and other similar information may be made from the record of the individual to the representative payee.

d. Data may be disclosed to Department of Health and Human Services for reimbursement for work done under reimbursement provisions of Title XVIII of the Social Security Act, as amended.

e. Jurisdictional clearance, premium rates, coverage election, paid-through date, and amounts of payments in arrears may be released to the Social Security Administration and the Health Care Financing Administration to assist those agencies in administering Title XVIII of the Social Security Act, as amended.

f. Beneficiary identifying information, date of birth, sex, premium rate paid thru date, and Medicare Part A and Part B entitlement date/end date may be disclosed to effect state buy-in and third party premium payments.

g. Payment data may be disclosed to consultants to determine reasonable charges for hospital insurance payments in Canada.

h. Entitlement data may be disclosed to primary beneficiaries regarding secondary beneficiaries (or vice versa) when the addition of such beneficiary affects entitlement.

i. Records may be released to contractors to fulfill contract requirements pertaining to specific activities related to the Railroad Retirement Act and Social Security Act, as amended.

j. Beneficiary last address information may be disclosed to Department of Health and Human Services in conjunction with the Parent Locator Service.

k. Beneficiary identification, entitlement data and rate information may be released to the Department of State and embassy officials, to the American Institute on Taiwan, and to the Department of Veterans Affairs Regional Office, Philippines, to aid in the development of applications, supporting evidence and the continued eligibility of beneficiaries and potential beneficiaries living abroad.

l. Records may be released to the General Accounting Office for auditing purposes and for collection of debts arising from overpayments under Title XVIII of the Social Security Act, as amended.

m. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

n. Pursuant to a request from an employer covered by the Railroad Retirement Act or the Railroad Unemployment Insurance Act, or from an



insurance company acting as an agent or of an employer, information regarding the **RRB's** determination of Medicare entitlement, entitlement data, and present address may be released to the requesting employer or insurance company acting as its agent for the purposes of either determining entitlement to and rates of supplemental benefits under private employer welfare benefit plans or complying with requirements of law covering the Medicare program..

o. If a request for information pertaining to an individual is made by an official of a labor organization of which the individual is a member and the request is made on behalf of the individual, information from the record of the individual concerning his or her entitlement to Medicare may be disclosed to the labor organization official.

p. Records may be disclosed in a court proceeding relating to any claims for benefits by the beneficiary under the Railroad Retirement Act, or Social Security Act and may be disclosed during the course of an administrative appeal to individuals who need the records to prosecute or decide the appeal or to individuals who are requested to provide information relative to an issue involved in the appeal.

q. In the event that this system of records, maintained by the Railroad Retirement Board to carry out its functions, indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in this system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, provided that disclosure would be to an agency engaged in functions related to the Railroad Retirement Act or provided that disclosure would be clearly in the furtherance of the interest of the subject individual.

r. Information in this system of records may be released to the attorney representing such individual in connection with the individual's claim for benefits under the Railroad Retirement Act and Title XVIII of the Social Security Act, as amended, upon receipt of a written letter or declaration stating the fact of representation, subject to the same procedures and regulatory prohibitions as the subject individual.

s. Information may be disclosed to the Department of the Treasury for the purpose of investigating alleged forgery or theft of Medicare reimbursement checks.

t. Information may be disclosed to the U.S. Postal Service for investigating alleged forgery or theft of Medicare checks.

u. Relevant information may be disclosed to the Office of the President for responding to an individual pursuant to an inquiry from that individual for a third party in his/her behalf.

v. Identifying information about Medicare-entitled beneficiaries who may be working may be disclosed to the Health Care Financing Administration for the purposes of determining whether Medicare

## Railroad Retirement Board Privacy Act Systems of Records

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should be the secondary payer of benefits for such individuals.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper, magnetic tape and microfilm.

Retrievability: Claim number, social security number, full name.

Safeguards: Records are maintained in areas not accessible by the public and are not permitted to be removed from headquarters without authorization.

Retention and disposal:

Paper: Computer printouts, including daily and monthly statistics, premium payment listings, state-buy-in listings and voucher listings are kept for 2 years, transferred to the Federal Records Center, and destroyed when 5 years old. Other copies of computer printouts are maintained for 1 year, then shredded. Applications material in individual claim folders with records of all actions pertaining to the payment or denial of claims are transferred to the Federal Record Center, Chicago, Illinois 5 years after the date of last payment or denial activity if all benefits have been paid, no future eligibility is apparent and no erroneous payments are outstanding. The claim folder is destroyed 25 years after the date it is received in the center.

Magnetic tape: Updated weekly. Obsolete tape is written over.

Microfilm: Originals are kept for 3 years, transferred to the Federal Records Center and destroyed 3 years and 3 months after receipt at the center. One copy is kept 3 years then destroyed when 6 months old or no longer needed for administrative use, whichever is sooner.

System manager(s) and address: Office of Programs--Director of Policy and Systems, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611-2092.

Notification procedure: Requests for information regarding an individual's records should be in writing, including the full name, social security number and railroad retirement claim number (if any) of the individual. Before information about any record will be released, the individual may be required to provide proof of identity, or authorization from the individual to permit release of information. Such requests should be sent to: Office of Programs--Director of Operations, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611-2092.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: Applicant (the qualified railroad beneficiary), his/her representative, Social Security Administration, Health Care Financing Administration, United Health Care Insurance Company, Federal, State or local agencies, their party premium payers, all other Railroad Retirement Board files, physicians.

#..RRB-21

#....System name: Railroad Unemployment and Sickness Insurance Benefit System-RRB.

System location: U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

Regional and District Offices: See Appendix I for addresses.

Categories of individuals covered by the system: Applicants and claimants for unemployment and sickness (including maternity) benefits under the Railroad Unemployment Insurance Act: Some railroad employees injured at work who did not apply for Railroad Unemployment Insurance Act benefits; all railroad employees paid separation allowances.

Categories of records in the system:

Information pertaining to payment or denial of an individual's claim for benefits under the Railroad Unemployment Insurance Act: Name, address, sex, social security number, date of birth, total months of railroad service (including creditable military service), total creditable compensation for base year, last employer and date last worked before applying for benefits, last rate of pay in base year, reason not working, applications and claims filed, benefit information for each claim filed, disqualification periods and reasons for disqualification, entitlement to benefits under other laws, benefit recovery information about personal injury claims and pay for time not worked, medical reports, placement data, correspondence and telephone inquiries to and about the claimant, record of protest or appeal by claimant of adverse determinations made on his claims.

Authority for maintenance of the system: Section 12(1) of the Railroad Unemployment Insurance Act (45 U.S.C. 351, et. seq.).

Purpose(s):

The purpose of this system of records is to carry out the function of collecting and storing information in order to administer the benefit program under the Railroad Unemployment Insurance Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. Beneficiary identifying information may be disclosed to third party contacts to determine if incapacity of the beneficiary or potential beneficiary to understand or use benefits exists, and to determine the suitability of a proposed representative payee.

b. In the event the Board has determined to designate a person to be the representative payee of an incompetent beneficiary, disclosure of information concerning the benefit amount and other similar information may be made to the representative payee from the record of the individual.

c. Beneficiary identifying information, address, check rate, date and number may be released to the Treasury Department to control for reclamation and return outstanding benefit payments, to issue benefit payments, respond to reports of non-delivery and to insure delivery of check to the correct address or account of the beneficiary or representative payee.

d. Beneficiary identifying information, address, payment rate, date and number, plus other necessary supporting evidence may be released to the U.S. Postal Service for investigation of alleged

forgery or theft of railroad unemployment/sickness benefit payments.

e. A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision in the matter, provided that disclosure would be clearly in the furtherance of the interest of the subject individual.

f. Under Section 2(f), the Railroad Retirement Board has the right to recover benefits paid to an employee who later receives remuneration for the same period, therefore, the Railroad Retirement Board may notify the person or company paying the remuneration of the Board's right to recovery and the amount of benefits to be refunded.

g. Under Section 12(o), the Railroad Retirement Board is entitled to reimbursement of sickness benefits paid on account of the infirmity for which damages are paid, consequently, the Railroad Retirement Board may send a notice of lien to the liable party, and, upon request by the liable party, advise the amount of benefits subject to reimbursement.

h. Records may be disclosed to contractors to fulfill contract requirements pertaining to specific activities related to the Railroad Unemployment Insurance Act.

i. Beneficiary identifying information, rate and entitlement data may be released to the Social Security Administration to correlate actions with the administration of the Social Security Act.

j. The last addresses and employer information may be released to Department of Health and Human Services in conjunction with the Parent Locator Service.

k. Benefit rate, entitlement and periods paid may be disclosed to the Social Security Administration, Bureau of Supplemental Security Income to federal, state and local welfare or public aid agencies to assist them in processing applications for benefits under their respective programs.

l. Beneficiary identifying information, entitlement, rate and other pertinent data may be released to the Department of Labor in conjunction with payment of benefits under the Federal Coal Mine and Safety Act.

m.[Reserved]

n. Records may be referred to the General Accounting Office for auditing purposes and for collection of debts arising from overpayments under the Railroad Unemployment Insurance Act.

o. If a request for information pertaining to an individual is made by an official of a labor organization, of which the individual is a member, information from the record of the individual concerning his benefit or anticipated benefit and concerning the method of calculating that benefit may be disclosed to the labor organization official.

p. Pursuant to a request from an employer covered by the Railroad Retirement Act or the Railroad Unemployment Insurance Act, or from an

organization under contract to an employer or employers, information regarding the Board's payment of unemployment or sickness benefits, the methods by which such benefits are calculated, entitlement data and present address may be released to the requesting employer or the organization under contract to an employer or employers for the purposes of determining entitlement to and rates of private supplemental pension, sickness or unemployment benefits and to calculate estimated benefits due.

q. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

r. Records may be disclosed in a court proceeding relating to any claims for benefits by the beneficiary under the Railroad Unemployment Insurance Act and may be disclosed during the course of an administrative appeal to individuals who need the records to prosecute or decide the appeal or to individuals who are requested to provide information relative to an issue involved in the appeal.

s. In the event that this system of records, maintained by the Railroad Retirement Board to carry out its function, indicates a violation, or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, provided that disclosure would be to an agency engaged in functions related to the Railroad Retirement Act or the Railroad Unemployment Insurance Act or provided that disclosure would be clearly in the furtherance of the interest of the subject individual.

t. Non-medical information in this system of records may be released to the attorney representing such individual upon receipt of a written letter or declaration stating that fact of representation, subject to the same procedures and regulatory prohibitions as the subject individual. Medical information may be released to an attorney when such records are requested for the purpose of contesting a determination either administratively or judicially.

u. Beneficiary identifying information, entitlement data, benefit rates and periods paid may be released to the Department of Veterans Affairs to verify continued entitlement to benefits.

v. Identifying information such as full name, social security number, employee identification number, date last worked, occupation, and location last worked may be released to any last employer to verify entitlement for benefits under the Railroad Unemployment Insurance Act.

w. The amount of unemployment benefits paid, if 10 dollars or more in a calendar year, and claimant identifying information, may be furnished to the Internal Revenue Service for tax administration purposes.

x. The name and address of a claimant may be released to a Member of Congress when the Member requests it in order that he or she may communicate with the claimant about legislation which affects the railroad unemployment insurance system.

y. Beneficiary identifying and claim period information may be furnished to states for the purposes of their notifying the **RRB** whether claimants were paid state unemployment or sickness benefits and also whether wages were reported for them. For claimants that a state identifies as having received state unemployment or sickness benefits, **RRB** benefit information may be furnished the state for the purpose of recovery of the amount of the duplicate payments which is made.

z. The amount of each sickness benefit that is subject to a tier 1 railroad retirement tax and the amount of the tier 1 tax withheld may be disclosed to the claimant's last railroad employer to enable that employer to compute its tax liability under the Railroad Retirement Tax Act.

aa. Relevant information may be furnished to the Office of the President for responding to an individual pursuant to an inquiry from that individual or a third party in his/her behalf.

bb. The amount of sickness benefits paid and claimant identifying information, except for sickness benefits paid for an on-the-job injury, may be furnished to the Internal Revenue Service for tax administration purposes.

cc. Entitlement data and benefit rates may be released to any court, state agency, or interested party, or to the representative of such court, state agency, or interested party in connection with contemplated or actual legal or administrative proceedings concerning domestic relations and support matters.

dd. Identifying information and information about a claim for benefits filed may be disclosed to an employee's base-year railroad employer and the employee's most recent railroad employer's most recent railroad employer, if different, in order to afford that employer or those employers the opportunity to submit information concerning the claim. In addition, after the claim has been paid, if the base-year railroad employer appeals the decision awarding benefits, all information regarding the claim may be disclosed to such base-year railroad employer that is necessary and appropriate for it to fully exercise its rights of appeal.

ee. Non-medical information relating to the determination of sickness benefits may be disclosed to an insurance company administering a medical insurance program for railroad workers for purposes of determining entitlement to benefits under that program.

ff. Scrambled Social Security Number and complete home address information of unemployment claimants may be furnished to the Bureau of Labor Statistics for use in its Local Area Unemployment Statistics (LAUS) program.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper, magnetic and optical media, and microforms.

Retrievability: Social Security number (claim number) and name.

### Safeguards:

Paper and microforms: Maintained in areas not accessible to the public; offices are locked during non-business hours. Magnetic tape and magnetic disk; computer and computer storage rooms are restricted to authorized personnel; on-line query safeguards include a lock/unlock password system, a terminal oriented transaction matrix and an audit trail; for computerized records electronically transmitted between headquarters and field office locations, systems securities are established in accordance with National Bureau of Standards guidelines. In addition to the online query safeguards, they include encryption of all data transmitted and exclusive use of leased telephone lines.

### Retention and disposal:

Paper-Transferred to the Chicago Federal Records Center 1 year after the end of the benefit year during which the case was closed and then destroyed by shredding 6 years and 3 months after the end of the benefit year. In benefit recovery cases, the file is transferred to the Federal Records Center if there has been no recent activity; the file is not destroyed until 6 years and 3 months after recovery has been completed.

Magnetic tape-Destroyed by shredding and compacting 10 years after the end of the benefit year. Microform-Destroyed by shredding and compacting 10 years after the end of the benefit year. Optical media--Destroyed by compacting 10 years after the end of the benefit year.

System manager(s) and address: Office of Programs--Director of Policy and Systems, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611-2092.

Notification procedure: Requests for information regarding an individual's record should be in writing, including the full name, social security number and railroad retirement claim number (if any) of the individual. Before information about any record will be released, the individual may be required to provide proof of identity, or authorization from the individual to permit release of information. Such requests should be sent to: Office of Programs--Director of Operations, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: Applicant, claimant or his or her representative, physicians, employers, labor organizations, federal, state, and local government agencies, all Railroad Retirement Board files, insurance companies, attorneys, Congressmen, liable parties (in personal injury cases), funeral homes and survivors (for payment of death benefits).

#.. **RRB-22**

#....System name: Railroad Retirement, Survivor, and Pensioner Benefit System--**RRB**.

## Railroad Retirement Board Privacy Act Systems of Records

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System location: U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611

Regional and District Offices: See Appendix I for addresses.

Categories of individuals covered by the system: Applicants for retirement and survivor benefits, their dependents (spouses, divorced spouses, children, parents, grandchildren), individuals who filed for lump-sum death benefits and/or residual payments.

Categories of records in the system:

Information pertaining to the payment or denial of an individual's claim for benefits under the Railroad Retirement Act: Name, address, social security number, claim number, proofs of age, marriage, relationship, military service, creditable earnings and service months (including military service), entitlement to benefits under the Social Security Act, programs administered by the Department of Veterans Affairs, or other benefit systems, rates, effective dates, medical reports, correspondence and telephone inquiries to and about the beneficiary, suspension and termination dates, health insurance effective date, option, premium rate and deduction, direct deposit data, employer pension information, citizenship status and legal residency status (for annuitants living outside the United States), and tax withholding information (instructions of annuitants regarding number of exemptions claimed and additional amounts to be withheld, as well as actual amounts withheld for tax purposes).

Authority for maintenance of the system:

Section 7(b)(6) of the Railroad Retirement Act of 1974 (U.S.C. 231f(b)(6)).

Purpose(s):

Records in this system of records are maintained to administer the benefit provisions of the Railroad Retirement Act, sections of the Internal Revenue Code related to the taxation of railroad retirement benefits, and Title XVIII of the Social Security Act as it pertains to Medicare coverage for railroad retirement beneficiaries.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: a. Beneficiary identifying information may be disclosed to third party contacts to determine if incapacity of the beneficiary or potential beneficiary to understand or use benefits exists, and to determine the suitability of a proposed representative payee.

b. In the event the Board has determined to designate a person to be the representative payee of an incompetent beneficiary, disclosure of information concerning the benefit amount and other similar information may be made to the representative payee from the record of the individual.

c. Entitlement and benefit rates may be released to primary beneficiaries regarding secondary beneficiaries (or vice versa) when the addition of such beneficiary affects either the entitlement or benefit payment.

d. Identifying information such as full name, address, date of birth, social security number, employee identification number, and date last worked, may be released to any last employer to verify



entitlement for benefits under the Railroad Retirement Act.

e. Beneficiary identifying information, address, check rates, number and date may be released to the Department of the Treasury to control for reclamation and return of outstanding benefit payments, to issue benefit payments, act on report of non-receipt, to insure delivery of payments to the correct address of the beneficiary or representative payee or to the proper financial organization, and to investigate alleged forgery, theft or unlawful negotiation of railroad retirement benefit checks or improper diversion of payments directed to a financial organization.

f. Beneficiary identifying information, address, check rate, date, number and other supporting evidence may be released to the U.S. Postal Service for investigation of alleged forgery or theft of railroad retirement or social security benefit checks.

g. Beneficiary identifying information, entitlement data, medical evidence and related evaluatory data and benefit rate may be released to the Social Security Administration and the Health Care Financing Administration to correlate actions with the administration of Title II and Title XVIII of the Social Security Act, as amended.

h. Beneficiary identifying information, including social security account number, and supplemental annuity amounts may be released to the Internal Revenue Service, State and local taxing authorities for tax purposes (Form G-1099, for those annuitants receiving supplemental annuities).

i. Beneficiary identifying information, entitlement, benefit rates, medical evidence and related evaluatory data, and months paid may be furnished to the Department of Veterans Affairs for the purpose of assisting that agency in determining eligibility for benefits or verifying continued entitlement to and the correct amount of benefits payable under programs which it administers.

j. Beneficiary identifying information, entitlement data and benefit rates may be released to the Department of State and embassy and consular officials, the American Institute on Taiwan, and to the Department of Veterans Affairs Regional Office, Philippines, to aid in the development of applications, supporting evidence, and the continued eligibility of beneficiaries and potential beneficiaries living abroad.

k. Beneficiary identifying information, entitlement, benefit rates and months paid may be released to the Social Security Administration (Bureau of Supplemental Security Income) the Health Care Financing Administration, to federal, state and local welfare or public aid agencies to assist them in processing applications for benefits under their respective programs.

l. The last addresses and employer information may be released to the Department of Health and Human Services in conjunction with the Parent Locator Service.

m. Beneficiary identifying information, entitlement, rate and other pertinent data may be released to the Department of Labor in conjunction with payment of benefits under the Federal Coal Mine and Safety Act.

n. [Reserved]

o. Medical evidence may be released to Board-appointed medical examiners to carry out their functions.

p. Information obtained in the administration of Title XVIII (Medicare) which may indicate unethical or unprofessional conduct of a physician or practitioner providing services to beneficiaries may be released to Professional Standards Review Organizations and State Licensing Boards.

q. Information necessary to study the relationship between benefits paid by the Railroad Retirement Board and civil service annuities may be released to the Office of Personnel Management.

r. Records may be disclosed to the General Accounting Office for auditing purposes and for collection of debts arising from overpayments under Title II and Title XVIII of the Social Security Act, as amended, or the Railroad Retirement Act.

s. Records may be released to contractors to fulfill contract requirements pertaining to specific activities related to the Railroad Retirement Act.

t. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

u. Pursuant to a request from an employer covered by the Railroad Retirement Act or the Railroad Unemployment Insurance Act, or from an organization under contract to an employer or employers, information regarding the Board's payment of retirement benefits, the methods by which such benefits are calculated, entitlement data and present address may be released to the requesting employer or the organization under contract to an employer or employers for the purposes of determining entitlement to and rates of private supplemental pension, sickness or unemployment benefits and to calculate estimated benefits due.

v. If a request for information pertaining to an individual is made by an official of a labor organization of which the individual is a member and the request is made on behalf of the individual, information from the record of the individual concerning his benefit or anticipated benefit and concerning the method of calculating that benefit may be disclosed to the labor organization official.

w. Records may be disclosed in a court proceeding relating to any claims for benefits by the beneficiary under the Railroad Retirement Act, and may be disclosed during the course of an administrative appeal to individuals who need the records to prosecute or decide the appeal or to individuals who are requested to provide information relative to an issue involved in the appeal.

x. In the event that this system of records, maintained by the Railroad Retirement Board to carry out its functions, indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing

or implementing the statute, rule, regulation or order issued pursuant thereto, provided that disclosure would be to an agency engaged in functions related to the Railroad Retirement Act or provided that disclosure would be clearly in the furtherance of the interest of the subject individual.

y. Information in this system of records may be released to the attorney representing such individual in connection with the individual's claim for benefits under the Railroad Retirement Act, upon receipt of a written letter or declaration stating the fact of representation, subject to the same procedures and regulatory prohibitions as the subject individual.

z. The amount of a residual lump-sum payment and the identity of the payee may be released to the Internal Revenue Service for tax audit purposes.

aa. The amount of any death benefit or annuities accrued but unpaid at death and the identity of such payee may be released to the appropriate state taxing authorities for tax assessment and auditing purposes.

bb. Beneficiary identifying information, including but not limited to name, address, social security account number, payroll number and occupation, the fact of entitlement and benefit rate may be released to the Pension Benefit Guaranty Corporation to enable that agency to determine and pay supplemental pensions to qualified railroad retirees.

cc. Medical records may be disclosed to vocational consultants in administrative proceedings.

dd. Date employee filed application for annuity to the last employer under the Railroad Retirement Act for use in determining entitlement to continued major medical benefits under insurance programs negotiated with labor organizations.

ee. Information regarding the determination and recovery of an overpayment made to an individual may be released to any other individual from whom any portion of the overpayment is being recovered.

ff. The name and address of an annuitant may be released to a Member of Congress when the Member requests it in order that he or she may communicate with the annuitant about legislation which affects the railroad retirement system.

gg. Certain identifying information about annuitants, such as name, social security number, **RRB** claim number, and date of birth, as well as address, year and month last worked for a railroad, last railroad occupation, application filing date, annuity beginning date, identity of last railroad employer, total months of railroad service, sex, disability onset date, disability freeze onset date, and cause and effective date of annuity termination may be furnished to insurance companies for administering group life and medical insurance plans negotiated between certain participating railroad employers and railway labor organizations.

hh. For payments made after December 31, 1983, beneficiary identifying information, address, amounts of benefits paid and repaid, beneficiary withholding instructions, and amounts withheld by

the **RRB** for tax purposes may be furnished to the Internal Revenue Service for tax administration purposes.

ii. Relevant information may be disclosed to the Office of the President for responding to an individual pursuant to an inquiry from that individual or from a third party in his/her behalf.

jj. Last address and beneficiary identifying information may be furnished to railroad employers for the purpose of mailing railroad passes to retired employees and their families.

kk. Entitlement data and benefits rates may be released to any court, state agency, or interested party, or to the representative of such court, state agency, or interested party, in connection with contemplated or actual legal or administrative proceedings concerning domestic relations and support matters.

ll. Identifying information about annuitants and applicants may be furnished to agencies and/or companies from which such annuitants and applicants are receiving or may receive worker's compensation, public pension, or public disability benefits in order to verify the amount by which Railroad Retirement Act benefits must be reduced, where applicable.

mm. Disability annuitant identifying information may be furnished to state employment agencies for the purpose of determining whether such annuitants were employed during times they receive disability benefits.

nn. Identifying information about Medicare-entitled beneficiaries who may be working may be disclosed to the Health Care Financing Administration for the purposes of determining whether Medicare should be the secondary payer of benefits for such individuals.

oo. Disclosure of information in claim folders is authorized for bonafide researchers doing epidemiological/mortality studies approved by the **RRB** who agree to record only information pertaining to deceased beneficiaries.

pp. Identifying information for beneficiaries, such as name, SSN, and date of birth, may be furnished to the Social Security Administration and to any State for the purpose of enabling the Social Security Administration or State through a computer or manual matching program to assist the **RRB** in identifying female beneficiaries who remarried but who may not have notified the **RRB** of their remarriage.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper, microforms, magnetic tape and magnetic disk.

Retrievability:

Claim number, social security number and full name.

Safeguards: Papers and microforms: Maintained in areas not accessible to the public, offices are locked during non-business hours. Magnetic tape and magnetic disk: Computer and computer storage rooms are restricted to authorized personnel; on-line query safeguards include a lock/unlock password system, a terminal oriented transaction matrix and an audit trail; for computerized records electronically transmitted between headquarters and field office locations, system securities are established in accordance with

## Railroad Retirement Board Privacy Act Systems of Records

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National Bureau of Standards guidelines. In addition to the on-line query safeguards, they include encryption of all data transmitted and exclusive use of leased telephone lines.

Retention and disposal:

Paper: Individual claim folders with records of all actions pertaining to the payment of claims are transferred to the Federal Records Center, Chicago, Illinois 5 years after the date of last payment or denial activity if all benefits have been paid, no future eligibility is apparent and no erroneous payments are outstanding. The claim folder is destroyed 25 years after the date it is received in the center. Account receivable listings and checkwriting operations daily activity listings are transferred to the Federal Records Center 1 year after the date of issue and are destroyed 6 years and 3 months after receipt at the center. Other paper listings are destroyed 1 year after the date of issue. Change of address source documents are destroyed 1 year.

Microforms-- Originals are kept for 3 years, transferred to the Federal Records Center, and destroyed when 8 years old. One duplicate copy is kept 2 years and destroyed by shredding. All other duplicate copies are kept 1 year and destroyed by shredding. Magnetic tape: Magnetic tape records are used to daily update the disk file, are retained for 90 days and then written over. For disaster recovery purposes certain tapes are stored 12-18 months. Magnetic disk: Continually updated and permanently retained.

System manager(s) and address: Office of Programs--Director of Policy and Systems, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611-2092

Notification procedure:

Requests for information regarding an individual's records should be in writing, including the full name, social security number and railroad retirement claim number(if any) of the individual. Before information about any records will be released, the individual may be required to provide proof of identity, or authorization from the individual to permit release of information. Such requests should be sent to: Office of Programs--Director of Operations, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60621-2092.

Record access procedures:

See Notification section above.

Contesting record procedures:

See Notification section above.

Record source categories:

Individual applicants or their representatives, railroad employers, other employers, physicians, labor organizations, federal, state and local government agencies, attorneys, funeral homes, congressmen, schools, foreign government.

#..**RRB-26**

#....System name: Payment, Rate and Entitlement History File--**RRB**.

System location:

## Railroad Retirement Board Privacy Act Systems of Records

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U.S. Railroad Retirement Board  
844 Rush Street  
Chicago, Illinois 60611

Categories of individuals covered by the system: Individuals who have received or are receiving benefits under the Railroad Retirement Act or the Social Security Act. These individuals included retired and disabled railroad employees, their qualified spouses, dependents, and survivors, and recipients of other, non-recurring benefits.

Categories of records in the system: Data supporting the benefits and historical data recording the benefits paid to the above categories of individuals under the Railroad Retirement and Social Security Acts.

Authority for maintenance of the system: Section 7(b)(6) of the Railroad Retirement Act of 1974 (45 U.S.C. 231f(b)(6))

Purpose(s);

The purpose of this system is to record in one file all data concerning payment, rate, and entitlement history for recipients of Railroad Retirement benefits.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

- a. Records may be released to contractors to fulfill contract requirements pertaining to specific activities related to the Railroad Retirement Act.
- b. Records may be released to the Internal Revenue Service for the purpose of their checking amounts shown on individual tax returns as pensions and annuities received under the Railroad Retirement Act.
- c. Benefit data regarding persons who, it is determined, are both **RRB** and VA beneficiaries may be furnished to the Department of Veterans Affairs for the purpose of assisting the VA in the administration of its income dependent benefit programs.
- d. Disability annuitant identifying information may be furnished to state employment agencies for the purpose of determining whether such annuitants were employed during times they receive disability benefits.
- e. Identifying information about Medicare-entitled beneficiaries who may be working may be disclosed to the Health Care Financing Administration for the purposes of determining whether Medicare should be the secondary payer of benefits for such individuals.
- f. Benefit information may be furnished to state agencies for the purposes of determining entitlement or continued entitlement to state income-dependent benefits and, if entitled, to adjusting such benefits to the amount to which the individual is entitled under state law, provided the state agency furnishes identifying information for the individuals for whom it wants the **RRB** benefit information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape and magnetic disk.

Retrievability: By claim number or beneficiary's Social Security number.

Safeguards: Access is limited to authorized personnel only.

Retention and disposal: Magnetic tapes are retained for 2 years then written over; magnetic disk files are retained permanently.

System manager(s) and address:

Supervisory Statistical Officer, Bureau of Information Services,  
Information Management Division, U.S. Railroad Retirement Board, 844  
Rush Street, Chicago, Illinois 60611-2092.

Notification procedure: Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name and social security number and claim number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: Transmissions from the following computerized systems: Railroad Retirement Act benefit payment; Social Security benefit payment; disability rating decisions; and primary insurance amount calculations.

#..RRB-27

#....System name: Railroad Retirement Board-Social Security  
Administration Financial Interchange System--RRB.

System location:

U.S. Railroad Retirement Board  
844 Rush Street  
Chicago, Illinois 60611

Categories of individuals covered by the system: One-percent sample of present and former railroad employees and members of their families who would have been eligible for social security benefits if railroad employment had been covered by the social security system.

Categories of records in the system: Claim number, social security number, date of birth, and administrative cost and payment data on imputed and actual social security benefits.

Authority for maintenance of the system: Section 7(c)(2) of the Railroad Retirement Act of 1974 (45 U.S.C. 231f(c)(2))

Purpose(s):

The purpose of this system is to calculate benefit amounts required to determine the financial interchange transfer amounts each year.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. Findings, including individual records, may be released to the Social Security Administration, determining amounts which, if added to or subtracted from the OASDI Trust Funds, would place the Social Security Administration in the position it would have been if employment covered by the Railroad Retirement Act had been covered by the Social Security Insurance Contributions Acts.

## Railroad Retirement Board Privacy Act Systems of Records

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b. Information may be released to the General Accounting Office for auditing purposes.

c. Records may be released to contractors to fulfill contract requirements pertaining to specific activities related to the Railroad Retirement Act and the Railroad Unemployment Insurance Act.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape and paper.

Retrievability: Claim and social security account numbers.

Safeguards: Records are maintained in areas not accessible to the public and are not permitted to be removed.

Retention and disposal: Retained indefinitely, except that periodically, inactive materials are sent to the Federal Records Center to be retained for ten years, then destroyed by the General Services Administration.

System manager(s) and address:

Chief Actuary, U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611-2092

Notification procedure: Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name and social security account number and claim number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: Annuitants, the Social Security Administration, and other Railroad Retirement Board files.

#..RRB-29

#....System name: Railroad Employees' Cumulative Gross Earnings Master File--RRB.

System location:

U.S. Railroad Retirement Board

844 Rush Street

Chicago, Illinois 60611

Categories of individuals covered by the system: Railroad workers whose social security account number ends in ``30" who have worked in the railroad industry from 1951 through the present.

Categories of records in the system: Gross earnings by individual by month, quarter or year.

Authority for maintenance of the system: Section 7(c) of the Railroad Retirement Act of 1974 (45 U.S.C. 231f(c)).

Purpose(s):

The purpose of this system is to maintain gross earnings reports for Financial Interchange sample employees for use in the calculation of benefits amounts used in the financial interchange determinations.



## Railroad Retirement Board Privacy Act Systems of Records

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Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records may be released to contractors to fulfill contract requirements pertaining to specific activities related to the Railroad Retirement Act and the Railroad Unemployment Insurance Act.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape, paper listings, punch cards.

Retrievability: Social security account number.

Safeguards: Records are maintained in areas not accessible to the public and are not permitted to be removed; secured building.

Retention and disposal: Paper and punch cards are kept for 10 years, then disposed of by the Federal Records Center. Updated historical magnetic tape is kept permanently.

System manager(s) and address:

Chief Actuary, U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611-2092

Notification procedure: Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name and social security account number and claim number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

#..RRB-33

#....System name: Federal Employee Incentive Awards System--RRB.

System location:

U.S. Railroad Retirement Board

844 Rush Street

Chicago, Illinois 60611

Categories of individuals covered by the system: Railroad Retirement Board employees who have submitted suggestions or have been nominated for awards.

Categories of records in the system: Employee suggestions, special achievement awards, quality increase awards, public service awards, government-sponsored awards.

Authority for maintenance of the system: Chapter 45, Title 5, U.S. Code.

Purpose(s):

Past suggestion and award nominations and awards presented are maintained to provide historical and statistical records. -

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. Information may be released to the public media for public relations purposes.

b. Records may be disclosed to the General Accounting Office for auditing purposes.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: System indexed by number assigned when suggestion or nomination is received. Suggestions are cross-referenced by name of suggester and subject of suggestion.

Safeguards: Only authorized staff has access to the files.

Retention and disposal: Denied suggestions are purged and destroyed five years after denial date. Adopted suggestions are retained permanently as are all special achievement awards, quality increase and public service awards, **RRB** Award for Excellence, and government-sponsored awards.

System manager(s) and address:

Chairman, Incentive Awards Committee  
U.S. Railroad Retirement Board  
844 Rush Street  
Chicago, Illinois 60611

Notification procedure: Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name and social security number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: Suggestion or award submitted by suggester or nominator. Suggestions submitted by employees; recommendations for award submitted by supervisory personnel.

#..**RRB-34**

#....System name: Employee Personnel Management Files--**RRB**.

System location:

U.S. Railroad Retirement Board  
844 Rush Street  
Chicago, Illinois 60611

Regional and District Offices:

See Appendix I of publication for addresses.

Categories of individuals covered by the system: Current employees of the U.S. Railroad Retirement Board.

Categories of records in the system: Name, address and phone number of the person to notify in case of emergency and personal physician; copies of (1) pay change slip, (2) bi-weekly statement of earnings and leave, (3) SF-52, Request for Personnel Action, (4) SF-50, Personnel Action, (5) service computation date form, (6) written requests for leave, (7) performance ratings, (8) incentive awards program suggestions and awards, (9) other awards and nominations for

recognition, (10) supervisory informal and formal written notes, memorandums, etc., relative to admonishment, caution, warnings, reprimand or similar notices, (11) within-grade increase materials, (12) SF-171, Employment Application, (13) credit or debt correspondence, (14) letters of commendation, (15) official position descriptions, (16) probationary letters, (17) performance plans, (18) information concerning training received and seminars attended, and (19) miscellaneous correspondence.

Authority for maintenance of the system: Section 7(b)(9) of the Railroad Retirement Act of 1974 (45 U.S.C. 231f(b)(9)) and the Federal Personnel Manual 293-31--Subchapter S-8.

Purpose(s):

The system is maintained to provide information to managers and supervisors to assist in their work.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

- a. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
- b. Records may be disclosed in a court proceeding and may be disclosed during the course of an administrative appeal to individuals who need the records to prosecute or decide the appeal or to individuals who are requested to provide information relative to an issue involved in the appeal.
- c. A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letter of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.
- d. In the event that this system of records, maintained by the Railroad Retirement Board to carry out its functions, indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in this system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto.
- e. Information in this system of records may be released to the attorney representing such individual, upon receipt of a written letter or declaration stating the fact of representation, subject to the same procedures and regulatory prohibitions as the subject individual.
- f. Relevant information may be furnished to the Office of the President for responding to an individual pursuant to an inquiry from that individual or a third party in his/her behalf.

## Railroad Retirement Board Privacy Act Systems of Records

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Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Name of employee.

Safeguards: Kept in lockable file cabinets or lockable desks in secured building, with access limited to authorized personnel.

Retention and disposal: The folder and its contents will be destroyed by hand-shredding within 30 days after the employee leaves the bureau or region. Specific materials in these files are disposed of in accordance with applicable Civil Service Commission and GSA instructions or regulations and/or applicable internal administrative directives.

System manager(s) and address: The system managers are listed below.

For departmental employees:

Director of Personnel

U.S. Railroad Retirement Board

844 Rush Street

Chicago, Illinois 60611

For field employees:

Regional Director of region where person is employed

(See Appendix I of publication for addresses).

Notification procedure: Requests for information regarding an individual's record should be addressed to the System Manager identified above, including the full name and social security number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification procedure above.

Contesting record procedures: See Notification procedure above.

Record source categories: Employee, agency officials and management personnel.

#..RRB-36

#....System name: Complaint, Grievance, Disciplinary and Adverse Action Files--RRB.

System location:

U.S. Railroad Retirement Board

844 Rush Street

Chicago, Illinois 60611

Categories of individuals covered by the system: Railroad Retirement Board employees who are the subjects of disciplinary or adverse actions or who have filed a complaint or grievance.

Categories of records in the system: Information relating to proposals and decisions in cases of discipline and adverse actions; including supporting documents; information relating to grievances filed under the agency and negotiated grievance procedures, including the grievance, final decision and any evidence submitted by the

## Railroad Retirement Board Privacy Act Systems of Records

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employee and/or the agency in support of or contesting the grievance.

Authority for maintenance of the system: Title 5 USC sections 7503(c), 7513(e), 7543(e).

Purpose(s):

The purpose of this system of records is to maintain information related to grievances, disciplinary actions, and adverse actions in order to furnish information to arbitrators, EEO investigators, the Merit Systems protection Board, the Federal Labor Relations Authority, and the Courts, as necessary. The information is also used for statistical purposes, as needed.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

b. Information in this system of records may be released to the attorney representing such individual, upon receipt of a written letter or declaration stating the fact of representation, subject to the same procedures and regulatory prohibitions as the subject individual.

c. Records may be disclosed to the Merit Systems Protection Board or an arbitrator to adjudicate an appeal, complaint, or grievance.

d. Relevant information may be furnished to the Office of the President for responding to an individual pursuant to an inquiry from that individual or a third party in his/her behalf.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: Name of employee.

Safeguards: Maintained in locked file cabinets in an area not accessible to the public.

Retention and disposal: Maintained for four years, then destroyed by shredding.

System manager(s) and address:

Director of Personnel

U.S. Railroad Retirement Board

844 Rush Street

Chicago, Illinois 60611

Notification procedure: Requests for information regarding an individual's record should be addressed to the System Manager identified above and should include the name and social security number of the individual involved. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: The Railroad Retirement Board employee, the employee's supervisor, bureau or regional director, the executive director, or the employee's representative.

#..RRB-37

#....System name: Medical Records on Railroad Retirement Board Employees-RRB.

System location: U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

Categories of individuals covered by the system: All Board employees who utilize the Medical Service section and any building employee involved in a medical emergency requiring medical treatment.

Categories of records in the system: Name, date of examination, date of birth, brief narrative statement of the employee's general health and significant medical problem, chief complaint, physical findings and recommended action.

Authority for maintenance of the system: Railroad Retirement Board Order 75-6, written in accordance with section 7(b)(9) of the Railroad Retirement Act of 1974 (45 U.S.C. 231f(b)(9)).

Purpose(s):

To maintain private records for employees regarding their medical history and other pertinent information such as results of screenings for medical conditions, immunization records, and workplace incidents or injuries.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For internal Board use only.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: Name.

Safeguards: Locked filing cabinets, only authorized personnel are permitted to access.

Retention and disposal: Maintained until 1 year after the termination of employment, then shredded.

System manager(s) and address: Medical Service Section Nurse, U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

Notification procedure: Requests for information regarding an individual's records should be in writing addressed to the System Manager identified above, including full name and social security number of the individual. Before any information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: Physician, medical personnel, Railroad Retirement Board employee.

#..RRB-42

#....System name: Benefit Overpayment Accounts.

System location:

U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

Categories of individuals covered by the system:

Individuals who were overpaid in the benefits they received from the Railroad Retirement Board. Benefits overpaid are further delineated in the following three categories.

--Individuals receiving the following types of annuities, payable under the Railroad Retirement Act: Railroad retirement, disability, supplemental, and survivor.

--Individuals receiving unemployment or sickness insurance benefits payable under the Railroad Unemployment Insurance Act.

--Individuals receiving benefits under section 701 of the Regional Rail Reorganization Act of 1973.

Categories of records in the system:

Name, address, Social Security number, Railroad Retirement claim number, type of benefit previously paid, amount of overpayment, debt identification number, cause of overpayment, source of overpayment, original debt amount, current balance of debt, installment repayment history, recurring accounts receivable administrative offset history, waiver, reconsideration and debt appeal status, general billing, dunning, referral, collection, and payment case history, amount of interest and penalties assessed and collected, name and address of debt collection agency or Federal agency to which account is referred for collection, date of such referral, amount collected, and name and address of consumer reporting agencies to which debt information is disclosed and date of such referral.

Authority for maintenance of the system:

Sec. 7(b)(6) of the Railroad Retirement Act of 1974 (45 U.S.C. 231f(b)(6)); sec. 12(1) of the Railroad Unemployment Insurance Act (45 U.S.C. 362(1)); Pub. L. 97-92, Joint Resolution; Pub. L. 97-365 (Debt Collection Act of 1982); Federal Claims Collection Act (31 U.S.C. 3701 et. seq.); Pub. L. 104-134 (Debt Collection Improvement Act of 1996).

Purpose(s):

The records in this system are created, monitored and maintained to enable the Railroad Retirement Board to fulfill regulatory and statutory fiduciary responsibilities to its trust funds, the individuals to whom it pays benefits and the Federal Government as directed under the Railroad Retirement Act, Railroad Unemployment Insurance Act, Debt Collection Act of 1982, Federal Claims Collection Improvement Act of 1998. These responsibilities include: accurate and timely determination of debt; sending timely, accurate notice of the debt with correct repayment and rights options; taking correct and timely action when rights/appeals have been requested; assessing appropriate charges; using all appropriate collection tools, releasing required, accurate reminder notices; and correctly and timely entering all recovery, write-off and waiver offsets to debts.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. Benefit overpayment amounts, history of collectible, history of collection efforts and identification information (name, address--including IRS address information--Social Security number, Railroad Retirement claim number, type of benefit) may be disclosed to private collection agencies for the purpose of recovering benefit overpayments.

b. Records may be disclosed to the General Accounting Office for auditing purposes.

c. For information related to overpayments of benefits paid under section 701 of the Regional Rail Reorganization Act of 1973, in the event that this system of records, maintained by the Railroad Retirement Board to carry out its functions, indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto; for information related to uncollectible overpayments paid under any other Act administered by the Railroad Retirement Board, in the event that this system maintained by the Railroad Retirement Board to carry out its functions, indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute, or by regulation, rule or order issued pursuant thereto, the relevant records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto, provided that disclosure would be to an agency engaged in functions related to the Railroad Retirement Act, or the Railroad Unemployment Insurance Act or provided that disclosure would be clearly in the furtherance of the interest of the subject individual.

d. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

e. If a request for information pertaining to an individual is made by an official of a labor organization of which the individual is a member and the request is made on behalf of the individual, information from the record of the individual concerning his overpayment may be disclosed to the labor organization official.

f. Relevant information may be furnished to the Office of the President for responding to an individual pursuant to an inquiry from that individual or a third party in his/her behalf.

g. Debtors' names, Social Security Numbers, Railroad Retirement claim numbers, and the amounts of debts owed may be disclosed to the Defense Manpower Data Center of the Department of Defense, to the Office of Personnel Management, and to the Postal Service to conduct



computer matching programs for the purpose of identifying and locating individuals who are receiving Federal salaries or benefit payments and delinquent in their repayment of debts owed to the U.S. Government under certain programs administered by the Railroad Retirement Board in order to collect the debts under the provisions of the Debt Collection Act of 1982 (Pub. L. 97-365) by voluntary repayment, or by administrative or salary offset procedures.

h. Debtors' names, Social Security Numbers, the amounts of debts owed, and the history of the debts, may be released to any Federal agency for the purpose of enabling such agency to collect debts on **RRB's** behalf by administrative or salary offset under the provisions of the Debt Collection Act of 1982 (Pub. L. 97-365).

i. Debtors names, Social Security Numbers, Railroad Retirement claims numbers, accounts of debts, history of the debts, and other relevant and necessary information may be disclosed to the Financial Management Service, Department of the Treasury, for the purpose of recovery of debts under the provisions of the Debt Collection Improvement Act of 1996.

j. The names, social security numbers, home addresses, dates of birth, dates of hire, quarterly earnings, employer identifying information, and State of hire of employees may be disclosed to the Office of Child Support Enforcement, Administration for Children and Families, Department of Health and Human Services for the purpose of locating individuals to establish paternity, establishing and modifying orders of child support, identifying sources of income, and for other child support enforcement actions as required by the Personal Responsibility and Work Opportunity Reconciliation Act (Welfare Reform Act, Pub. L. 104-193).

### Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): Disclosures may be made from this system to "consumer reporting agencies" as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f) or the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)) but only of information relating to debts incurred under Title VII of the Regional Rail Reorganization Act of 1973.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

#### Storage:

Paper, magnetic tape, and magnetic disk.

#### Retrievability:

Social Security number, Railroad Retirement claim number, and name.

#### Safeguards:

All records are maintained in a secured building in areas not accessible to the public and are restricted to personnel whose official duties require access. Paper: Records are stored in locked file cabinets. Magnetic tape and magnetic disk: Computer and computer storage rooms are restricted to authorized personnel; on-line query safeguards include a lock/unlock password system, terminal oriented transaction matrix, and an audit trail.

### Retention and disposal:

Records of the receivable accounts are maintained in an on-line electronic database and remain in the database even after waiver, reversal, recovery or write-off until 5 years after the debt is closed. After that time all records are removed from the on-line electronic database, and a microfilm copy is kept only of case history general activity. An uncollectible debt written off the active receivable database is stored on magnetic tape for possible future action. Most paper document that are not immediately shredded are filed in claim folders that are covered by Privacy Act Systems of Records **RRB-21**, Railroad Retirement, Survivor, and Pensioner Benefit System. These paper documents are mostly correspondence. Paper documents that relate to multiple accounts are kept for 6 years in folders established for the purpose.

### System manager(s) and address:

Chief Financial Officer, U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

### Notification procedure:

Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name, claim number, and social security number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

### Record access procedures:

See Notification section above.

### Contesting record procedures:

See Notification section above.

### Record source categories:

Railroad Retirement Board beneficiaries' claim folders, the overpaid individuals, other Board systems of records, and debt collection agencies.

#..**RRB-43**

#....System name: Office of Investigation Files.

### System location:

Office of Inspector General, U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

### Categories of individuals covered by the system:

Any of the following categories of individuals on whom a complaint is made alleging a violation of law, regulation, or rule pertinent to the administration of programs by the **RRB**, or, with respect to **RRB** employees, alleging misconduct or conflict of interest in the discharge of their official duties: Current and former employees of the Retirement Railroad Board; contractors; subcontractors; consultants, applicants for, and current and former recipients of, benefits under the programs administered by the Railroad Retirement Board; officials and agents of railroad

employers; members of the public who are alleged to have stolen or unlawfully received **RRB** benefit or salary or assisted in such activity; and others who furnish information, products, or services to the **RRB**.

Categories of records in the system:

Letters, memoranda, and other documents alleging a violation of law, regulation or rule, or alleging misconduct, or conflict of interest; reports of investigations to resolve allegations with related exhibits, statements, affidavits or records obtained during the investigation; recommendations on actions to be taken; transcripts of, and documentation concerning requests and approval for, consensual monitoring of communications; photographs, video and audit recordings made as part of the investigation; reports from law enforcement bodies; prior criminal or noncriminal records as they relate to the investigation; reports of actions taken by management personnel regarding misconduct; reports of legal actions resulting from violations referred to the Department of Justice or other law enforcement agencies for prosecution.

Authority for maintenance of the system:

Inspector General Act of 1978; Pub. L. 95-452, 5 U.S.C. App., as amended.

Purpose(s):

The Office of Inspector General maintains this system of records to carry out its statutory responsibilities under the Inspector General Act. These responsibilities include a mandate to investigate allegations of fraud, waste, and abuse related to the programs and operations of the **RRB** and to refer such matters to the Department of Justice for prosecution.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. Records may be disclosed to the Department of Justice or other law enforcement authorities in connection with actual or potential criminal prosecution or civil litigation initiated by the **RRB**, or in connection with requests by **RRB** for legal advice.

b. Records may be disclosed to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee or the issuance of a security clearance, provided that the subject individual is not an individual on whom the **RRB** has obtained information in conjunction with its administration of the Railroad Retirement Act, the Railroad Unemployment Act, the Milwaukee Railroad Restructuring Act, or the Rock Island Railroad Transition and Employee Assistance Act.

c. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry for the congressional office made at the request of that individual would not be denied access to the requested information.

d. Disclosure may be made to an attorney representing the subject individual upon receipt of a written letter or declaration stating the fact of representation, provided that the subject individual would not be denied access to the requested information.

Policies and practices for storing, retrieving, accessing,

retaining, and disposing of records in the system:

Storage:

Paper and electronic media.

Retrievability:

Name, SSN, **RRB** Claim Number, and assigned, all of which are cross-referenced to the other information.

Safeguards:

General access is restricted to the Inspector General and members of his staff; disclosure within the agency is on a limited need-to-know basis; files and paper documents are maintained in locked file cabinets located in areas not accessible to the public. Office is locked during non-business hours. Access to computers which store the electronic index is restricted to authorized personnel, and on-line query safeguards include a password unlock system.

Retention and disposal:

Paper files are retained for 10 years before they are destroyed by shredding. They are destroyed by shredding in the fiscal year following the expiration of the 10-year retention period. The electronic index records are retained until no longer required for any operational or administrative purposes.

System manager(s) and address:

Assistant Inspector General, Office of Inspector General, U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

Notification procedure:

Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name, claim number, and social security number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information. Many records in this system are exempt from the notification requirements under 5 U.S.C. 552a(k). To the extent that records in this system of records are not subject to exemption, they are subject to notification. A determination whether an exemption applies shall be made at the time a request for notification is received.

Record access procedure:

Requests for access to the record of an individual and requests to contest such a record should be in writing addressed to the System Manager identified above, including the full name, claim number, and social security number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information. Many records in this system are exempt from the records access and contesting requirements under 5 U.S.C. 552a(k). To the extent that records in this system of records are not subject to exemption, they are subject to access and contest requirements. A determination as to whether an exemption applies shall be made at the time a request for access or contest is received.

Contesting record procedure:

See notification section above.

Record source categories:

The subject; the complainant; third parties, including but not limited to employers and financial institutions; local, state, and federal agencies; and other **RRB** record systems.

Systems exempted from certain provisions of the Act:

Pursuant to 5 U.S.C. 552a(j)(2) records in this system of records which are compiled for the purposes of criminal investigations are exempted from the requirements under 5 U.S.C. 552a(c)(3) and (4) (Accounting of Certain Disclosures), (d) (Access to Records), (e)(1), (2), (3), (4), (G), (H), and (I), (5) and (8) (Agency Requirements), (f) (Agency Rules), and (g) (Civil Remedies) of 5 U.S.C. 552a.

Pursuant to 5 U.S.C. 552a(k)(2) records in this system of records which consist of investigatory material compiled for law enforcement purposes are exempted from the notice, access and contest requirements under 5 U.S.C. 552a(c)(3), (d) (e)(1), (e)(4)(G), (H), and (I) and (f); however, if any individual is denied any right, privilege, or benefit to which the individual would otherwise be eligible as a result of the maintenance of such material, such material shall be provided to such individual except to the extent that disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence.

The reasons why the head of the Railroad Retirement Board decided to exempt this system of records under 5 U.S.C. 552a(k) are given in a rule published elsewhere in this Federal Register.

#.. **RRB-44**

#....System name: Employee Test Score File.

System location:

U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

Categories of individuals covered by the system:

All Railroad Retirement Board employees who have taken one or more tests in voluntary competition for posted positions under the Board's Merit Promotion Plan.

Categories of records in the system:

Employee's name, social security account number, test score, type of test taken, date test taken.

Authority for maintenance of the system:

5 U.S.C. 335.103.

Purpose(s):

Test scores are stored for use in the Agency's merit promotion program. Agency's merit promotion program. Scores are forwarded by the Bureau of Personnel to merit promotion panels for use in ranking candidates for selection for promotion.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. Records may be disclosed to the Office of Personnel Management

in carrying out its functions.

b. Records may be disclosed to an agency in the executive, legislative, or judicial branch, or the District of Columbia Government, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the classifying of jobs, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

c. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

d. Disclosure may be made to the Office of the President from the record of an individual in response to an inquiry from the Office of the President made at the request of that individual.

e. In the event of litigation where one of the parties is (a) the Board, any component of the Board, or any employee of the Board in his or her official capacity; (b) the United States where the Board determines that the claim, if successful, is likely to directly affect the operations of the Board or any of its components; or (c) any Board employee in his or her individual capacity where the Justice Department has agreed to represent such employees, the Board may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper, word processing diskettes.

Retrievability:

Name.

Safeguards:

Paper and diskettes are maintained in a locked box. A password is required to access the scores on the personal computer.

Retention and disposal:

Paper records are destroyed by shredding after 3 years. The test score file on the personal computer is updated when each test is given. A test score that is over 3 years old will be replaced when the test is retaken, or removed if the test has not been retaken. A back-up disk is made each time a record is changed or added; it is retained until the next back up is made.

System manager(s) and address:

Director of Personnel, U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

Notification procedure:

Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name and social security number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or

## Railroad Retirement Board Privacy Act Systems of Records

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require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures:

See Notification section above.

Contesting record procedures:

See Notification section above.

Record source categories:

Employees who have taken the tests, bureau of personnel.

#.. **RRB-45**

#....System name: Employee Tuition Reimbursement File.

System location:

U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

Categories of individuals covered by the system:

All Railroad Retirement Board employees who have applied for tuition reimbursement for educational courses taken pursuant to an agreement between them and the agency.

Categories of records in the system:

Employee's name; copies of memoranda written by requesting reimbursement, and approval actions which include the title of the course(s) taken; the school at which it was taken; the final grade, the tuition cost and the employee's written evaluation on the training received.

Authority for maintenance of the system:

Section 4103 of Title 5, United States Code and Federal Personnel Manual 410 section 1-10a (11).

Purpose(s):

The purpose of this system of records is to serve as a repository for the records (i.e. passing grade, receipts for books, fees and tuition and application with proper agency approval) for each course for each individual.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. Records may be disclosed to the Office of Personnel Management in carrying out its functions.

b. Records may be disclosed to an agency in the executive, legislative, or judicial branch, or the District of Columbia Government, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the conducting of a security or suitability investigation of an individual, the classifying of jobs, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

c. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

d. Disclosure may be made to the Office of the President from the

record of an individual in response to an inquiry from the Office of the President made at the request of that individual.

e. In the event of litigation where one of the parties is (a) the Board, any component of the Board, or any employee of the Board in his or her official capacity; (b) the United States where the Board determines that the claim, if successful, is likely to directly affect the operations of the Board or any of its components; or (c) any Board employee in his or her individual capacity where the Justice Department has agreed to represent such employees, the Board may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

f. In the event that this system of records indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, or regulation or order issued pursuant thereto.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folders.

Retrievability:

Name of employee.

Safeguards:

Kept in file cabinets in secured building with access limited to authorized personnel.

Retention and disposal:

The folder and its contents are destroyed within 1 year after the employee leaves the agency.

System manager(s) and address:

Director of Personnel, U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

Notification procedure:

Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name and social security number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures:

See Notification section above.

Contesting record procedures:

See Notification section above.

Record source categories:



## Railroad Retirement Board Privacy Act Systems of Records

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Employees who request tuition reimbursement; school at which courses were taken.

#.. **RRB-46**

#....System name: Personnel Security Files--**RRB**.

System location:

U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

Categories of individuals covered by the system:

Current and former Railroad Retirement Board employees and individuals being considered for possible employment by the Board.

Categories of records in the system:

Records of actions taken by the Railroad Retirement Board in a personnel security investigation. If the action is favorable, the information will include identifying information and the action taken; if the action is unfavorable, the information will include the basis of the action which may be a summary of, or a selection, of information contained in an OPM investigation report. Information in an OPM investigation report may include: Date and place of birth, marital status, dates and places of residence, education, information on treatment for a mental condition, dates and places of employment, foreign countries visited, membership in organizations, birth date and place of birth of relatives, arrest records, prior employment reports, dates and levels of clearances, and names of agencies and dates when, and reasons why, they were provided clearance information on Board employees.

Note.--This system of records does not include the OPM investigation report itself, even though it is in possession of the Railroad Retirement Board. The report is covered under system of records OPM Central-9. Access to the report is governed by OPM.

Authority for maintenance of the system:

Executive Order 10450 and OMB Circular A-130 dated December 15, 1985.

Purpose(s):

The purpose of this system of records is to maintain files documenting the processing of investigations on **RRB** employees and applicants for employment used in making security/suitability determinations.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. Records may be disclosed to the Office of Personnel Management in carrying out its functions.

b. Records may be disclosed to an agency in the executive, legislative, or judicial branch, or the District of Columbia Government, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the conducting of a security or suitability investigation of an individual, the classifying of jobs, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting

agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

c. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

d. Disclosure may be made to the Office of the President from the record of an individual in response to an inquiry from the Office of the President made at the request of that individual.

e. In the event of litigation where one of the parties is (a) the Board, any component of the Board, or any employee of the Board in his or her official capacity; (b) the United States where the Board determines that the claim, if successful, is likely to directly affect the operations of the Board or any of its components; or (c) any Board employee in his or her individual capacity where the Justice Department has agreed to represent such employees, the Board may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

f. In the event that this system of records indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper.

Retrievability:

Name.

Safeguards:

Records are kept in a lockable file cabinet; only authorized persons are permitted access.

Retention and disposal:

Records are destroyed upon notification of death or not later than 5 years after separation or transfer of employee.

System manager(s) and address:

Personnel Security Officer, U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

Notification procedure:

Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name and social security number and claim number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an

authorization from the individual to permit release of information.

Record access procedures:

See Notification section above.

Contesting record procedures:

See Notification section above.

Record source categories:

The individual to whom the information applies, the Railroad Retirement Board, the Office of Personnel Management, the FBI and other law enforcement agencies, and other third parties.

#.. **RRB-48**

#....System name: Employee Identification Card Files (Building Passes).

System location:

U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

Categories of individuals covered by the system:

All headquarters Railroad Retirement Board employees. Non-Railroad Retirement Board employees who require continuous access to the Board's headquarters building (e.g., employees of vendors and contractors).

Categories of records in the system:

Name, social security number, color code for type of pass.

Authority for maintenance of the system:

Federal Property Management Regulations, 41 CFR 101-20.301.

Purpose(s):

The purpose of this system of records is to validate employees who have been given access to the building.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Internal use only.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper.

Retrievability:

Name. Identification cards are used for admission to the headquarters building; the application forms verify prior issuance in the event of loss or theft of card.

Safeguards:

Records are maintained in areas not accessible to the public and are not permitted to be removed from headquarters without authorization.

Retention and disposal:

Application forms are retained until the person ceases to be employed by the Board at its headquarters office, or in the case of non-Railroad Retirement employees, until the building pass is withdrawn.

System manager(s) and address:

## Railroad Retirement Board Privacy Act Systems of Records

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Director of Personnel, U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

Notification procedure:

Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name and social security number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures:

See Notification section above.

Contesting record procedures:

See Notification section above.

Record source categories:

Individuals to whom building passes are issued.

#..RRB--49

#....System name:

Telephone Call Detail Records.

System location:

U.S. Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611-2092.

Categories of individuals covered by the system:

Individuals (generally agency employees and contractor personnel) who make or receive telephone calls from agency owned telephones at the agency's 844 North Rush Street headquarters building.

Categories of records in the system:

Name of employee, telephone number, location of telephone, date and time phone call made or received, duration of call, telephone number called from agency telephone, city and state of telephone number called, cost of call made on agency phone.

Authority for maintenance of the system:

31 U.S.C. 1348(b)

Purpose(s):

The purpose of this system of records are to verify the correctness of telephone service billing and to detect and deter possible improper use of agency telephones by agency employees and contractors.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. Records may be released to agency employees on a need to know basis.

b. Relevant records may be released to a telecommunications company providing support to permit servicing the account.

c. Relevant records relating to an individual may be disclosed to a Congressional office in response to an inquiry from the Congressional office made at the request of that individual.

d. Relevant information may be disclosed to the Office of the

President for responding to an individual pursuant to an inquiry from that individual or from a third party on his/her behalf.

3. Relevant records may be disclosed to representatives of the General Services Administration or the National Archives and Records Administration who are conducting records management inspections under the authority of 44 U.S.C. 2904 and 2906.

f. Records may be disclosed in response to a request for discovery or for the appearance of a witness, to the extent that what is disclosed is relevant to the subject matter involved in a pending judicial or administrative proceeding.

g. Records may be disclosed in a proceeding before a court or adjudicative body to the extent that they are relevant and necessary to the proceeding.

h. In the event that material in this system indicates a violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute, or by regulation, rule, or order issued pursuant thereto, the relevant records may be disclosed to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, or order, issued pursuant thereto.

i. Relevant records may be disclosed to respond to a Federal agency's request made in connection with the hiring or retention of an employee, the letting of a contract or issuance of a grant, license or other benefit by the requesting agency, but only to the extent that the information disclosed is relevant and necessary to the requesting agency's decision on the matter.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper and computer hard disk, cartridge, and tape.

Retrievability:

Name, telephone extension, number dialed.

Safeguards:

Only designated personnel in the Bureau of Supply and Service have access to the computerized records. Access to the PC database containing call detail information is password protected. An additional password is required for access to the personal computer on which the database is housed.

Retention and disposal:

Computerized records are retained for approximately 180 days and then are written over by more current call detail information. Paper reports, when issued, are disposed of as provided in National Archives and Records Administration General Records Schedule 12.

System manager(s) and address:

Director of Supply and Service, U.S. Railroad Retirement Board,  
844 North Rush Street, Chicago, Illinois 60611-2092.

Notification procedure:

Requests for information regarding an individual's record should be in writing addressed to the Systems Manager identified above, including the full name and social security number of the individual.

## Railroad Retirement Board Privacy Act Systems of Records

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Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures:

See Notification section above.

Contesting record procedures:

See Notification section above.

Record source categories:

Telephone assignment records; computer software that captures telephone call information and permits query and reports generation.

Systems exempted from certain provisions of the act:

None.

#..RRB-50

#....System name:

**RRB-50**, Child Care Tuition Assistance Program.

System location:

U.S. Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611-2092.

Categories of individuals covered by the system:

Current and former Railroad Retirement Board employees who voluntarily applied for child care tuition assistance, the employee's spouse, the employee's children and their child care providers.

Categories of records in the system:

Employee (parent) name, Social Security Number, pay grade, home and work numbers, addresses, total family income, spouse employment information, names of children on whose behalf the employee parent is applying for tuition assistance, each applicable child's date of birth, information on child care providers used (including name, address, provider license number and state where issued, tuition cost, and provided tax identification number), and copies of IRS Form 1040 and 1040A for verification purposes. Other records may include the child's social security number, weekly expense, pay statements, records relating to direct deposits, verification of qualification and administration for child care assistance.

Authority for maintenance of the system:

Pub. L. 106-58, section 643 and E.O. 9397.

Purpose(s):

The purpose of the system is to determine eligibility for, and the amount of, the child care tuition assistance for lower income **RRB** employees.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. Records may be released to agency employees on a need to know basis.

b. Relevant records relating to an individual may be disclosed to a congressional office in response to an inquiry from the Congressional office made at the request of that individual.

c. Relevant information may be disclosed to the Office of the President for responding to an individual pursuant to an inquiry from that individual or from a third party in his/her behalf.

d. Relevant records may be disclosed to representatives of the General Services Administration or the National Archives and Records Administration who are conducting records management inspections under the authority of 44 U.S.C. 2904 and 2906.

e. Records may be disclosed in response to a request for discovery or for the appearance or a witness, to the extent that what is disclosed is relevant to the subject matter involved in a pending judicial or administrative proceeding.

f. Records may be disclosed in a proceeding before a court or adjudicative body to the extent that they are relevant and necessary to the proceeding.

g. In the event that material in this system indicates a violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute, or by regulation, rule, or order issued pursuant thereto, the relevant records may be disclosed to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, or order, issued pursuant thereto.

h. Relevant records may be disclosed to respond to a Federal agency's request made in connection with the hiring or retention of an employee, the letting of a contract or issuance of a grant, license or other benefit by the requesting agency, but only to the extent that the information disclosed is relevant and necessary to the requesting agency's decision on the matter.

i. Relevant records may be disclosed to the Office of Personnel Management or the General Accounting Office when the information is required for evaluation of the subsidy program.

j. Records may be disclosed to an expert, consultant, or contractor of **RRB** (including employees of the contractor) if the **RRB** decides to contract with a private firm for the implementation of any part of the program.

k. Relevant records may be disclosed to child care providers to verify a covered child's dates of attendance at the provider's facility.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper and computer hard disk, cartridge, and tape.

Retrievability:

Name, Social Security Number.

Safeguards:

When not in use by an authorized person, paper records are stored in lockable cabinets in a building with security cameras and 24-hour security guards. Access to electronic records require the use of restricted passwords.

Retention and disposal:

These records will be maintained permanently until their official

## Railroad Retirement Board Privacy Act Systems of Records

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retention period is established.

System manager(s) and address:

Director of Human Resources, U.S. Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611-2092.

Notification procedure:

Requests for information regarding an individual's record should be in writing addressed to the Systems Manager identified above, including the full name and social security number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures:

See Notification section above.

Contesting record procedures:

See Notification section above.

Record source categories:

Applications for child care tuition assistance submitted voluntarily by **RRB** employees; forms completed by child care providers.

Systems exempted from certain provisions of the act:

None.

#..**RRB-51**

#....System name:

**RRB-51**, Railroad Retirement Board's Customer PIN/Password (PPW) Master File System.

System location:

U.S. Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611-2092.

Categories of individuals covered by the system:

All **RRB** customers (applicants, claimants, annuitants and other customers) who elect to conduct transactions with **RRB** in an electronic business environment that requires the PPW infrastructure, as well as those customers who elect to block PPW access to **RRB** electronic transactions by requesting **RRB** to disable their PPW capabilities.

Categories of records in the system:

The information includes identifying information such as the customer's name, Social Security number (which functions as the individual's personal identification number (PIN)) and mailing address. The system also maintains the customer's Password Request Code (PRC), the password itself, and the authorization level and associated data (e.g. effective date of authorization).

Authority for maintenance of the system:

Sec. 2(b)(6) of the Railroad Retirement Act, 45 U.S.C. 231f(b)(6); and the Government Paperwork Elimination Act.

Purpose(s):

The purpose of this system is to enable **RRB** customers who wish to



conduct business with the **R RB** to do so in a secure environment.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. Records may be released to agency employees on a need to know basis.

b. Relevant records relating to an individual may be disclosed to a congressional office in response to an inquiry from the congressional office made at the request of that individual.

c. Relevant information may be disclosed to the Office of the President for responding to an individual pursuant to an inquiry from that individual or from a third party in his/her behalf.

d. Relevant records may be disclosed to representatives of the General Services Administration or the National Archives and Records Administration who are conducting records management inspections under the authority of 44 U.S.C. 2904 and 2906.

e. Records may be disclosed in response to a request for discovery or for the appearance of a witness, to the extent that what is disclosed is relevant to the subject matter involved in a pending judicial or administrative proceeding and provided that the disclosure would be clearly in the furtherance of the interest of the subject individual.

f. Records may be disclosed in a proceeding before a court or adjudicative body to the extent that they are relevant and necessary to the proceeding and provided that the disclosure would be clearly in the furtherance of the interest of the subject individual.

g. In the event that material in this system indicates a violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute, or by regulation, rule, or order issued pursuant thereto, the relevant records may be disclosed to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto, provided that disclosure would be to an agency engaged in functions related to the administration of the Railroad Retirement Act or the Railroad Unemployment Insurance Act or provided that disclosure would be clearly in the furtherance of the interest of the subject individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Electronic and paper form.

Retrievability:

Name and Social Security number (which acts as the individual's PIN).

Safeguards:

When not in use by an authorized person, paper records are stored in lockable cabinets in a building with security cameras and 24-hour security guards. Access to electronic records requires the use of restricted passwords.

Retention and disposal:

These records will be maintained permanently until their official

## Railroad Retirement Board Privacy Act Systems of Records

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retention period is established.

System manager(s) and address:

Office of Programs--Director of Policy and Systems, U.S. Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611-2092.

Notification procedure:

Requests for information regarding an individual's record should be in writing addressed to the Systems Manager identified above, including the full name and social security number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures:

See Notification section above.

Contesting record procedures:

See Notification section above.

Record source categories:

Data for the system are obtained primarily from the individuals to whom the record pertains.

Systems exempted from certain provisions of the act:

None.

### Appendix I.--Offices of the U.S. Railroad Retirement Board

#### A. Regional Offices

Region 1--101 Marietta Street, Suite 2304, Atlanta, Georgia 30303

Region 2--Federal Building, Room 3415, 26 Federal Plaza, New York, New York 10278

Region 3--Anthony J. Celebrezze Federal Building, Room 493, 1240 E. 9th Street, Cleveland, Ohio 44199

Region 4--Federal Building, Room 257, 601 East 12th Street, Kansas City, Missouri 64106

Region 5--Federal Building, Room 7419, 450 Golden Gate Avenue, Box 36043, San Francisco, California 94102

#### B. District Offices

##### Alabama

2121 Building, Room 1532, 2121--8th Avenue North, Birmingham, Alabama 35203

951 Government Street, Room 122, Mobile, Alabama 36604

Arizona--301 West Congress, Room 4-M, Box FB-40, Tuscon, Arizona 85701

Arkansas--Gannett Communications Center, Room 308, 201 West 3rd Street, Little Rock, Arkansas 72201

##### California

Bank of California Building, 2110 Merced Street, Box 752, Fresno, California 93712

U.S. Courthouse Building, Room 1507, 312 North Spring Street, Los Angeles, California 90012

## Railroad Retirement Board Privacy Act Systems of Records

George P. Miller Federal Building, 1515 Clay Street, Oakland,  
California 94612  
Federal Building, Room E-1821, 2800 Cottage Way, Sacramento,  
California 95825  
568 N. Mountain View, San Bernardino, California 92401  
Federal Building, Room 1423, 450 Golden Gate Avenue, Box 36045, San  
Francisco, California 94102  
Colorado--183 Custom House, 20th & Stout Streets, PO Box 8869,  
Denver, Colorado 80201  
Connecticut--Federal Building, 150 Court Street, New Haven,  
Connecticut 06510  
District of Columbia--1925 L. Street, NW, Washington, DC 20036  
Florida  
299 E. Broward Blvd., Room 304, Fort Lauderdale, Florida 33301  
400 West Bay Street, Room 244, Box 35026, Jacksonville, Florida 32202  
700 Twiggs Street, Room 707, Tampa, Florida 33602  
Georgia  
101 Marietta Street, Suite 2306, Atlanta, Georgia 30303  
415 W. Broughton Street, Suite 101, Savannah, Georgia 31401  
Idaho--Federal Building, U.S. Courthouse, Room 179, 250 South  
4th Avenue, Pocatello, Idaho 83201  
Illinois  
Federal Building, Room 3162, 230 South Dearborn, Chicago, Illinois  
60604  
132 South Water Street, Suite 517, PO Box 1291, Decatur, Illinois  
62525  
Des Plaines Civic Center, 1420 Miner Street, Des Plaines, Illinois  
60016  
1310 21st Street, Granite City, Illinois 62040  
101 North Joliet Street, Joliet, Illinois 60431  
U.S.P.S. Building, 211 Nineteenth, Rock Island, Illinois 61201  
Indiana  
Federal Building and Courthouse, Room 333, 1300 S. Harrison Street,  
Fort Wayne, Indiana 46802  
Federal Building, Room 105, 575 North Pennsylvania Street,  
Indianapolis, Indiana 46204  
Iowa--Federal Building, Room 709, 210 Walnut Street, Des  
Moines, Iowa 50309  
Kansas  
Federal Building, Room 303, 444 SE Quincy, Topeka, Kansas 66683  
The Litwin Building, Suite 100-A, 110 North Market Street, Wichita,  
Kansas 67202  
Kentucky--Federal Building, Room 377A, 600 Federal Place, PO  
Box 3702, Louisville, Kentucky 40201  
Louisiana  
Hale Boggs Federal Building, Room 925, 500 Camp Street, New Orleans,  
Louisiana 70130  
Federal Building, U.S. Courthouse, 500 Fannin Street, Room 3B04,  
Shreveport, Louisiana 71101  
Maine--Federal Building, PO Box 3590, Room 2041, 151 Forest  
Avenue, Portland, Maine 04101

## Railroad Retirement Board Privacy Act Systems of Records

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Maryland--George H. Fallon Federal Office Building; Room 1029,  
31 Hopkins Plaza, Baltimore, Maryland 21201

### Massachusetts

U.S. Post Office and Courthouse Building, Room 408, PO Box 2448,  
Boston, Massachusetts 02208

Federal Building and Courthouse, Room 411, 436 Dwight Street,  
Springfield, Massachusetts 01103

### Michigan

2805 North Lincoln Road, PO Box 692, Escanaba, Michigan 49829

P. V. McNamara Federal Building, 477 West Michigan Avenue, Suite  
1990, Detroit, Michigan 48226

Riverview Center Building, Room 420, 678 Front Street, NW, Grand  
Rapids, Michigan 49504

### Minnesota

Federal Building, Room 135, 515 West First Street, Duluth, Minnesota  
55802

910 Bremer Towers, 82 East 7th Street, St. Paul, Minnesota 55101

Mississippi--Federal Building, Room 1007, 100 W. Capital  
Street, Jackson, Mississippi 39201

### Missouri

Federal Building, Room 258, 601 East 12th Street, Kansas City,  
Missouri 64106

Federal Building, Room 204, 201 East 4th Street, Sedalia, Missouri  
65301

1430 Olive Street, Room 203, St. Louis, Missouri 63103

Bank of Springfield Office Center, Room 612, 300 South Jefferson,  
Springfield, Missouri 65806

Montana--Federal Building, Room 1445, 316 North 26th Street, PO  
Box 1351, Billings, Montana 59103

### Nebraska

USPO Courthouse, 300 East Third Street, PO Box 1103, North Platte,  
Nebraska 69101

Federal Office Building, Room 1011, 106 South 15th, Omaha, Nebraska  
68102

New Jersey--New Federal Building, Room 707, 970 Broad Street,  
Newark, New Jersey 07102

### New Mexico

Rosenwald Building, Suite 13, 320 Central, SW, Albuquerque, New  
Mexico 87102

Federal Building, Hill Avenue, and Third Street, Room 130, PO Box  
910, Gallup, New Mexico 87301

### New York

Leo W. O'Brien Federal Building, Room 264, Clinton Avenue and North  
Pearl Streets, Albany, New York 12207

Federal Building, Room 1106, 111 West Huron Street, Buffalo, New York  
14202

Mark Twain Building, 168 North Main Street, Elmira, New York 14901

183 South Broadway, Third Floor, Room 310, Hicksville, New York 11801

Federal Building, Room 3404, 26 Federal Plaza, New York, New York  
10278

U.S. Courthouse and Federal Building, 100 South Clinton Street, Room

## Railroad Retirement Board Privacy Act Systems of Records

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525, Syracuse, New York 13260  
North Carolina  
Mart Office Building, Room BB-503, 800 Briar Creek Road (at Independence), Charlotte, North Carolina 28205  
Federal Building, Room 238, 310 New Bern Avenue, Raleigh, North Carolina 27611  
North Dakota--USPO Building, Room 219, 657 Second Avenue, North, PO Box 383, Fargo, North Dakota 58107  
Ohio  
Federal Building, Room 1030, 550 Main Street, Cincinnati, Ohio 45202  
Anthony J. Celebrezze Federal Building, Room 401, 1240 East 9th Street, Cleveland, Ohio 44199  
Federal Building, U.S. Courthouse, Room 216, 85 Marconi Boulevard, Columbus, Ohio 43215  
Federal Building, Room 321, 234 Summit Street, Toledo, Ohio 43604  
Dollar Bank Building, Room 601, Central Square, Youngstown, Ohio 44503  
Oklahoma  
146 Post Office Building, North Robinson and Dean A. McGee Avenue, Oklahoma City, Oklahoma 73102  
333 West Fourth Street, Room 3339, Tulsa, Oklahoma 74103  
Oregon--Suite 650, 111 SW Columbia, Portland, Oregon 97201  
Pennsylvania  
615 Howard Avenue, Room 10, PO Box 990, Altoona, Pennsylvania 16603  
Federal Building, Room 504, 228 Walnut Street, Box B, Harrisburg, Pennsylvania 17108  
William J. Green, Jr. Federal Building, Room 7224, 600 Arch Street, Philadelphia, Pennsylvania 19106  
Park Building, Room 1327, 355 Fifth Avenue, Pittsburgh, Pennsylvania 15222  
USPO and Courthouse, Washington Avenue and Linden Street, Room 301, Scranton, Pennsylvania 18503  
Tennessee  
1111 Northshore Drive, Building 1, Room 237, Drawer 139, Knoxville, Tennessee 37919  
Clifford Davis Federal Building, Room 9, 167 North Main Street, Memphis, Tennessee 38103  
108 Federal Building, U.S. Courthouse, 801 Broadway, Nashville, Tennessee 37203  
Texas  
Federal Building and U.S. Courthouse, Room 118, 205 East 5th Street, Amarillo, Texas 79101  
1100 Commerce Street, Room 3 D 14, Dallas, Texas 75242  
First National Building, 109 North Oregon, Room 815, PO Box 5311, El Paso, Texas 79954  
819 Taylor Street, Room 10 A 36, Fort Worth, Texas 76102  
Federal Office Building, Room 2615, 515 Rusk Street, PO Box 61166, Houston, Texas 77208  
Federal Building, Room A 417, 727 East Durango, San Antonio, Texas 78206  
Utah--IRS Building, Suite 102, 469 South 400 East, Salt Lake

City, Utah 84111

Virginia

Federal Building, Room 801, 200 Granby Mall, Norfolk, Virginia 23510

Federal Office Building, Room 1207, 400 North Eighth Street, PO Box

10006, Richmond, Virginia 23240

Richard Poff Federal Building, Room 739, 210 Franklin Road, SW, PO

Box 270, Roanoke, Virginia 24011

Washington

Federal Building, Room 3210, 915 Second Avenue, Seattle, Washington

98174

U.S. Courthouse, Room 492, West 920 Riverside Avenue, Spokane,

Washington 99201

West Virginia--1415 6th Avenue, PO Box 2153, Huntington, West

Virginia 25721

Wisconsin

Federal Building, Room 19, 500 South Barstow Street, Eau Claire,

Wisconsin 54701

Lewis Center Building, Room 410, 615 East Michigan Street, Milwaukee,

Wisconsin 53202

#### Appendix II.--Medicare Part B Field Offices

Southeastern--PO Box 10066, Augusta, Georgia 30999

Northeastern--PO Box 395, Albany, New York 12201

North Central--220 East 170th Street, Lansing, Illinois 60438

South Central--PO Box 225493, Dallas, Texas 75265

Western--PO Box 30050, Salt Lake City, Utah 84130

#### #.RAILROAD RETIREMENT BOARD

Title 20-Employees' Benefits

Chapter II-Railroad Retirement Board

PART 200--PROCEDURES AND FORMS

Sec.

200.5 Protection of privacy of records maintained on individuals.

Sec. 200.5 Protection of privacy of records maintained on individuals.

(a) Purpose and scope. The purpose of this section is to establish specific procedures necessary for compliance with the Privacy Act of 1974 (Pub. L. 93-579). These regulations apply to all record systems containing information of a personal or private nature maintained by the Railroad Retirement Board that are indexed and retrieved by personal identifier.

(b) Definitions--(1) Individual. The term "individual" pertains to a natural person who is a citizen of the United States or an alien lawfully admitted for permanent residence and not to a company or corporation.

(2) System of records. For the purposes of this section, the term "system of records" pertains to only those records that can be retrieved by an individual identifier.

(3) Railroad Retirement Board. For purposes of this section, the term "Railroad Retirement Board" refers to the United States Railroad Retirement Board, an independent agency in the executive branch of the United States Government.

(4) Board. For purposes of this section the term "Board" refers to the three member governing body of the United States Railroad Retirement Board.

(c) Procedure for requesting the existence of personally identifiable records in a record system. An individual can determine if a particular record system maintained by the Railroad Retirement Board contains any record pertaining to him by submitting a written request for such information to the system manager of that record system as described in the annual notice published in the Federal Register. A current copy of the system notices, published in accordance with paragraph (i) of this section, is available for inspection at all regional and district offices of the Board. If necessary, Board personnel will aid requesters in determining what system(s) of records they wish to review and will forward any requests for information to the appropriate system manager. Also, requests for personal information may be submitted either by mail or in person to the system manager at the headquarters of the Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611. Prior to responding to a request for information under this subsection, the system manager shall require the individual requesting such information to provide identifying data, such as his full name, date of birth, and social security number. The system manager shall respond to a request under this subsection within a reasonable time by stating that a record on the individual either is or is not contained in the system.

(d) Disclosure of requested information to individuals. (1) Upon request, an individual shall be granted access to records pertaining to himself, other than medical records and records compiled in anticipation of a civil or criminal action or proceeding against him, which are indexed by individual identifier in a particular system of records. Requests for access must be in writing and should be addressed to the system manager of that record system as described in the annual notice published in the Federal Register. Requests under this subsection may be submitted either by mail or in person at the headquarters offices of the Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

(2) The system manager shall, within ten working days following the date on which the request is received in his office, render a decision either granting or denying access and shall promptly notify the individual of his decision. If the request is denied, the notification shall inform the individual of his right to appeal the denial to the Board. An individual whose request for access under this subsection has been denied by the system manager may appeal that determination to the

Board by filing a written appeal with the Secretary of the Board, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611 within twenty working days following receipt of the notice of denial. The Board shall render a decision on an appeal within thirty working days following the date on which the appeal is received in the office of the Secretary of the Board. The individual shall promptly be notified of the Board's decision.

(3) In cases where an individual has been granted access to his records, the system manager shall, prior to releasing such records, require the individual to produce identifying data such as his name, date of birth, and social security number.

(4) Disclosure to an individual of his record may be made by providing him, upon written request therefor, a copy of the record or portion thereof which he reasonably describes in his request.

(5) An individual, and if such individual so desires, one other person of his choosing, may review and have a copy made of his record (in a form comprehensible to him) during regular business hours at the location described as the repository of the record system containing such records in the annual notice published in the Federal Register or at such other location convenient to the individual as specified by the system manager. If an individual is accompanied by another person, the system manager may require written authorizations for disclosure in the presence of the other person from the individual before any record or portion thereof is released.

(e) Special procedures--medical records. (1) An individual concerning whom the Railroad Retirement Board maintains medical records in a system of records shall, upon written request, be permitted to review such medical records or be furnished copies of such records if the system manager of the system containing the requested records determines that disclosure of the records or any portion thereof would not be harmful to the individual's mental or physical health.

(2) If, upon review of the medical records requested, the system manager determines that disclosure of such records or any portion thereof might be harmful to the individual's mental or physical health, he shall inform the individual that copies of the records may be furnished to a physician of the individual's own choosing. If the individual should select a physician to conduct such a review and direct the Board to permit the physician to review the records, The system manger shall promptly forward copies of the records in question to that physician. The system manger shall inform the physician that the records are being provided to him or her for the purpose of making an independent determination as to whether release or the records directly to the individual who has requested them might be harmful to that individual. The physician shall be informed that if, in his or her opinion, direct disclosure of the records would not be harmful the the individual's mental or physical health, he or she may then provide the copies to the individual. The physician shall further be informed that should he or she determine that disclosure of the records in question might be harmful to the individual, such records shall not be disclosed and should be returned to the Board, but the physician may summarize and discuss the contents of the records with the individual.



(3) The special procedure established by paragraph (e) of this section to permit an individual access to medical records pertaining to himself or herself shall not be construed as authorizing the individual to direct the Board to disclose such medical records to any third parties, other than to a physician in accordance with paragraph (e)(2) of this section. Medical records shall not be disclosed by the Board to any entities or persons other than the individual to whom the record pertains or his or her authorized physician regardless of consent, except as permissible under paragraphs(j)(1)(iii) and (viii) of this section and as provided under paragraph (e)(4) of this section.

(4) Notwithstanding the provisions of paragraphs (e)(1), (2) and (3) of this section and of paragraph (d) of this section, if a determination made with respect to an individual's claim for benefits under the Railroad Retirement Act of the Railroad Unemployment Insurance Act is based in whole or in part on medical records, disclosure of or access to such medical records shall be granted to such individual or to such individual's representative when such records are requested for the purpose of contesting such determination either administratively or judicially. (5) The procedures for access to medical records set forth in paragraph (e) of this section shall not apply with respect to requests for access to an individual's disability decision sheet or similar adjudicatory documents, access to which is governed solely by paragraph (d) of this section.

(f) General exemptions--(1) Systems of records subject to investigatory material exemption under 5 U.S.C. 552a(j)(2). **RRB-43**, Investigation Files, a system containing information concerning alleged violations of law, regulation, or rule pertinent to the administration of programs by the **RRB** or alleging misconduct or conflict of interest on the part of **RRB** employees in the discharge of their official duties.

(2) Scope of exemption.(i) The system of records identified in this paragraph is maintained by the Office of Investigations (OI) of the Office of Inspector General (OIG), a component of the Board which performs as its principal function activities pertaining to the enforcement of criminal laws. Authority for the criminal law enforcement activities of the OIG's OI is the Inspector General Act of 1978, 5 U.S.C. app.

(ii) Applicable information in the system of records described in this paragraph is exempt from subsections (c)(3) and (4) (Accounting of Certain Disclosures), (d) (Access to Records), (e)(1), (2), (3), (4)(G), (H), and (I), (5), and (8), (Agency Requirements), (f) (Agency Rules) and (g) (Civil Remedies) of 5 U.S.C. 552a.

(iii) To the extent that information in this system of records does not fall within the scope of this general exemption under 5 U.S.C. 552(j)(2) for any reason, the specific exemption under 5 U.S.C. 552(k)(2) is claimed for such information. (See paragraph (g) of this section.)

(3) Reasons for exemptions. The system of records described in this section is exempt for one or more of the following reasons:

(i) 5 U.S.C. 552a(c)(3) requires an agency to make available to the individual named in the records, at his or her request, an accounting of each disclosure of records. This accounting must state the date, nature,

and purpose of each disclosure of a record and the name and address of the recipient. Accounting of each disclosure would alert the subjects of an investigation to the existence of the investigation and the fact that they are subjects of an investigation. The release of such information to the subjects of an investigation would provide them with significant information concerning the nature of the investigation, and could seriously impede or compromise the investigation and lead to the improper influencing of witnesses, the destruction of evidence, or the fabrication of testimony.

(ii) 5 U.S.C. 552a(c)(4) requires an agency to inform any person or other agency about any correction or notation of dispute made by the agency in accordance with subsection (d) of the Act. Since the **RRB** is claiming that this system of records is exempt from subsection (d) of the Act, concerning access to records, this section is inapplicable and is exempted to the extent that this system of records is exempted from subsection (d) of the Act.

(iii) 5 U.S.C. 552a(d) requires an agency to permit an individual to gain access to records pertaining to him or her, to request amendment of such records, to request a review of an agency decision not to amend such records, and to contest the information contained in such records. Granting access to records in this system of records could inform the subject of the investigation of an actual or potential criminal violation of the existence of that investigation, of the nature and scope of the information and evidence obtained as to his or her activities, of the identity of confidential sources, witnesses, and law enforcement personnel, and could provide information to enable the subject to avoid detection or apprehension. Granting access to such information could seriously impede or compromise an investigation, lead to the improper influencing of witnesses, the destruction of evidence, or the fabrication of testimony, and disclose investigative techniques and procedures.

(iv) 5 U.S.C. 552a(e)(1) requires each agency to maintain in its records only such information about an individual as is relevant and necessary to accomplish a purpose required by statute or executive order of the President. The application of this provision could impair investigations and law enforcement, because it is not always possible to detect the relevance or necessity of specific information in the early stages of an investigation. Relevance and necessity are often questions of judgment and timing, and it is only after the information is evaluated that the relevance and necessity of such information can be established.

(v) 5 U.S.C. 552a(e)(2) requires an agency to collect information to the greatest extent practicable directly from the subject individual when the information may result in adverse determinations about an individual's rights, benefits, and privileges under Federal programs. The application of this provision could impair investigations and law enforcement by alerting the subject of an investigation of the existence of the investigation, enabling the subject to avoid detection or apprehension, to influence witnesses improperly, to destroy evidence, or to fabricate testimony. Moreover, in certain circumstances the subject of an investigation cannot be required to provide information to

investigators, and information must be collected from other sources. Furthermore, it is often necessary to collect information from sources other than the subject of the investigation to verify the accuracy of the evidence collected.

(vi) 5 U.S.C. 552a(e)(3) requires an agency to inform each person whom it asks to supply information, on a form that can be retained by the person, of the authority under which the information is sought and whether disclosure is mandatory or voluntary; of the principal purposes for which the information is intended to be used; of the routine uses which may be made of the information; and of the effects on the person, if any, of not providing all or any part of the requested information. The application of this provision could provide the subject of an investigation with substantial information about the nature of that investigation.

(vii) 5 U.S.C. 552a(e)(4) (G) and (H) require an agency to publish a Federal Register notice concerning its procedures for notifying an individual at his request if the system of records contains a record pertaining to him or her, how he or she can gain access to such a record, and how he or she can contest its contents. Since the **RRB** is claiming that the system of records is exempt from subsection (f) of the Act, concerning agency rules, and subsection (d) of the Act, concerning access to records, these requirements are inapplicable and are exempted to the extent that these systems of records are exempted from subsections (f) and (d) of the Act. Although the **RRB** is claiming exemption from these requirements, **RRB** has published such a notice concerning its notification, access, and contest procedures because, under certain circumstances, **RRB** might decide it is appropriate for an individual to have access to all or a portion of his or her records in this system of records.

(viii) 5 U.S.C. 552a(e)(4)(I) requires an agency to publish in the Federal Register notice concerning the categories of sources or records in the system of records. Exemption from this provision is necessary to protect the confidentiality of the sources of information, to protect the privacy of confidential sources and witnesses, and to avoid the disclosure of investigative techniques and procedures. Although **RRB** is claiming exemption from this requirement, **RRB** has published such a notice in broad generic terms in the belief that this is all subsection (e)(4)(I) of the Act requires.

(ix) 5 U.S.C. 552a(e)(5) requires an agency to maintain its records with such accuracy, relevance, timeliness, and completeness as is reasonably necessary to assure fairness to the individual in making any determination about the individual. Since the Act defines "maintain" to include the collection of information, complying with this provision would prevent the collection of any data not shown to be accurate, relevant, timely, and complete at the moment it is collected. In collecting information for criminal law enforcement purposes, it is not possible to determine in advance what information is accurate, relevant, timely, and complete. Facts are first gathered and then placed into a logical order to prove or disprove objectively the criminal behavior of an individual. Material which may seem unrelated, irrelevant, or incomplete when collected may take on added meaning or significance as

the investigation progresses. The restrictions of this provision could interfere with the preparation of a complete investigative report, thereby impeding effective law enforcement.

(x) 5 U.S.C. 552a(e)(8) requires an agency to make reasonable efforts to serve notice on an individual when any record on such individual is made available to any person under compulsory legal process when such process becomes a matter of public record. Complying with this provision could prematurely reveal an ongoing criminal investigation to the subject of the investigation.

(xi) 5 U.S.C. 552a(f)(1) requires an agency to promulgate rules which shall establish procedures whereby an individual can be notified in response to his or her request if any system of records named by the individual contains a record pertaining to him or her. The application of this provision could impede or compromise an investigation or prosecution if the subject of an investigation was able to use such rules to learn of the existence of an investigation before it could be completed. In addition, mere notice of the fact of an investigation could inform the subject or others that their activities are under or may become the subject of an investigation and could enable the subjects to avoid detection or apprehension, to influence witnesses improperly, to destroy evidence, or to fabricate testimony. Since the **RRB** is claiming that these systems of records are exempt from subsection (d) of the Act, concerning access to records, the requirements of subsections (f)(2) through (5) of the Act, concerning agency rules for obtaining access to such records, are inapplicable and are exempted to the extent that this system of records is exempted from subsection (d) of the Act. Although **RRB** is claiming exemption from the requirements of subsection (f) of the Act, **RRB** has promulgated rules which establish Agency procedures because, under certain circumstances, it might be appropriate for an individual to have access to all or a portion of his or her records in this system of records. These procedures are described elsewhere in this part.

(xii) 5 U.S.C. 552a(g) provides for civil remedies if an agency fails to comply with the requirements concerning access to records under subsections (d)(1) and (3) of the Act; maintenance of records under subsection (e)(5) of the Act; and any rule promulgated thereunder, in such a way as to have an adverse effect on an individual. Since the **RRB** is claiming that this system of records is exempt from subsections (c)(3) and (4), (d), (e)(1), (2), (3), (4)(G), (H), and (I), (5), and (8), and (f) of the Act, the provisions of subsection (g) of the Act are inapplicable and are exempted to the extent that this system or records is exempted from those subsections of the Act.

(g) Specific exemptions--(1) Systems of records subject to investigatory material exemption under 5 U.S.C. 552a(k)(2). **RRB-43**, Investigation Files, a system containing information concerning alleged violations of law, regulation, or rule pertinent to the administration of programs by the **RRB** or alleging misconduct or conflict of interest on the part of **RRB** employees in the discharge of their official duties.

(2) Privacy Act provisions from which exempt. The system of records described in this paragraph is exempt from subsections (c)(3) (Accounting of Certain Disclosures), (d) (Access to Records), (e)(1),

4G, H, and I (Agency Requirements), and (f) (Agency Rules) of 5 U.S.C. 552a.

(3) Reasons for exemptions. The system of records described in this section is exempt for one or more of the following reasons:

(i) To prevent the subject of the investigations from frustrating the investigatory process.

(ii) To protect investigatory material compiled for law enforcement purposes.

(iii) To fulfill commitments made to protect the confidentiality of sources and to maintain access to necessary sources of information.

(iv) To prevent interference with law enforcement proceedings.

(h) Request for amendment of a record. (1) An individual may request that a record pertaining to himself be amended by submitting a written request for such amendment to the system manager as described in the annual notice published in the Federal Register. Requests under this subsection may be made either by mail or in person at the headquarters offices of the Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611. Such a request should include a statement of the information in the record which the individual believes is incorrect, a statement of any information not in the record which the individual believes would correct the record, if included, and a statement of any evidence which substantiates the individual's belief concerning the inaccuracy of the information presently contained in the record.

(2) Prior to rendering a determination in response to a request under this subsection, the system manager shall require that the individual provide identifying data such as his name, date of birth, and social security number.

(3) The system manager responsible for the system of records which contains the challenged record shall acknowledge receipt of the request in writing within ten working days following the date on which the request for amendment was received in his office and shall promptly render a decision either granting or denying the request.

(i) If the system manager grants the individual's request to amend his record, the system manager shall amend the record accordingly, advise the individual in writing that the requested amendment has been made and where an accounting of disclosures has been made, advise all previous recipients of the record to whom disclosure of such record was made and accounted for of the fact that the amendment was made and the substance of the amendment.

(ii) If the system manager denies the individual's request to amend his record, the system manager shall inform the individual that the request has been denied in whole or in part, the reason for the denial and the procedure regarding the individual's right to appeal the denial to the Board.

(i) Appeal of initial adverse determination on amendment. (1) An individual, whose request for amendment of a record pertaining to him is denied, may appeal that determination to the Board by filing a written appeal with the Secretary of the Board, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611. The written notice of appeal should include a statement of the information in the record which the individual believes is correct, a statement of any information not in

the record which the individual believes would correct the record, if included, and a statement of any evidence which substantiates the individual's belief concerning the inaccuracy of the information presently contained in the record.

(2) The Board shall consider the appeal and render a final decision thereon within thirty working days following the date on which the appeal is received in the office of the Secretary of the Board. An extension of the thirty day response period is permitted for a good cause upon notification of such to the requester.

(3) If, upon consideration of the appeal, the Board upholds the denial, the appellant shall be so informed in writing. The appellant shall be advised that he may file a concise statement with the Board setting forth his reasons for disagreeing with the Board's decision and the procedures to be followed in filing such a statement of disagreement. The individual shall also be informed of his right to judicial review as provided under section 552a(g)(1)(A) of Title 5 of the United States Code. If disclosure has or will be made of a record containing information about which an individual has filed a statement of disagreement, that contested information will be annotated and a copy of the statement of disagreement will be provided to past and future recipients of the information along with which the Board may include a statement of its reasons for not amending the record in question.

(4) If, upon consideration of the appeal, the Board reverses the denial, the Board shall amend the record, advise the appellant in writing that such amendment has been made, and where an accounting of disclosures has been made, advise all previous recipients of the record to whom disclosure of such was made and accounted for, of the fact that the amendment was made and the substance of the amendment.

(j) Disclosure of record to person other than the individual to whom it pertains. (1) Records collected and maintained by the Railroad Retirement Board in the administration of the Railroad Retirement Act and the Railroad Unemployment Insurance Act which contain information of a personal or private nature shall not be disclosed to any person or to another agency without the express written consent of the individual to whom the record pertains. Such written consent shall not be required if the disclosure is not otherwise prohibited by law or regulation and is:

(i) To officers or employees of the Railroad Retirement Board who, in the performance of their official duties, have a need for the record;

(ii) Required under section 552 of title 5 of the United States Code;

(iii) For a routine use of such record as published in the annual notice in the Federal Register;

(iv) To the Bureau of the Census for uses pursuant to the provisions of title 13 of the United States Code;

(v) To a recipient who has provided the Board with advance written assurance that the record will be used solely as a statistical or research record, and the record is to be transferred in a form that is not individually identifiable;

(vi) To the National Archives of the United States as a record which has sufficient historical or other value to warrant its continued preservation by the United States Government or for evaluation by the administrator of General Services or his designee to determine whether

the record has such value;

(vii) To another agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity if the activity is authorized by law, and if the head of the agency or instrumentality has made a written request to the agency which maintains the record specifying the particular portion desired and the law enforcement activity for which the record is sought;

(viii) To a person pursuant to a showing of compelling circumstances affecting the health or safety of an individual if, upon such disclosure, notification is transmitted to the last known address of such individual;

(ix) To either House of Congress, or, to the extent of matter within its jurisdiction, any committee or subcommittee thereof, any joint committee of Congress or subcommittee of any such joint committee;

(x) To the Comptroller General, or any of his authorized representatives, in the course of the performance of the duties of the General Accounting Office; or

(xi) Pursuant to the order of a court of competent jurisdiction.

(2) The Railroad Retirement Board shall maintain an accounting of all disclosures of records made under paragraph (j)(1) of this section, except those made under paragraphs (j)(1) (i) and (ii) of this section. This accounting will include:

(i) Date of disclosure;

(ii) Specific subject matter of disclosure;

(iii) Purpose of disclosure; and

(iv) Name and address of the person or agency to whom the information has been released.

The Railroad Retirement Board shall maintain the accounting for five years or the life of the system of records, whichever is longer, and make such accounting, with the exception of disclosures made under paragraph (j)(1)(vii) of this section, available to the individual to whom the record pertains upon his request. If, subsequent to disclosure of a record for which disclosure an accounting has been made pursuant to this subsection, an amendment is made to that record or an individual has filed a statement of disagreement concerning that record, the person or agency to whom such disclosure was made shall be notified of the amendment or statement of disagreement.

(k) Annual notice of systems of records. The Railroad Retirement Board shall publish in the Federal Register on an annual basis a listing of the various systems of records which it maintains by individual identifier. That notice shall provide the following for each system:

(1) The name and location of the system;

(2) The categories of individuals on whom records are maintained in the system;

(3) The routine uses of the system;

(4) The methods of storage, disposal, retention, access controls and retrievability of the system;

(5) The title and business address of the individual who is responsible for the system;

(6) The procedure whereby an individual can be notified at his request

whether or not the system contains a record pertaining to him;

(7) The procedure whereby the individual can be notified at his request how he can gain access to any record pertaining to him which is contained in the system;

(8) How the individual can contest the contents of such a record; and

(9) The categories of sources of records in the system.

(l) Collection of information and maintenance of records. With respect to each system of records indexed by individual identifier which is maintained by the Railroad Retirement Board, the Railroad Retirement Board shall:

(1) Maintain in each system only such information about an individual as is relevant and necessary in accomplishing the purposes for which the system is kept;

(2) To the greatest extent practicable, collect information directly from the individual when that information may result in an adverse determination about such individual's rights, benefits or privileges under programs administered by the Railroad Retirement Board;

(3) Inform each individual who is asked to supply information:

(i) The authority under which the solicitation of such information is carried out;

(ii) Whether disclosure of the requested information is mandatory or voluntary and any penalties for failure to furnish such information;

(iii) The principal purposes for which the information will be used;

(iv) The routine uses and transfers of such information; and

(v) The possible effects on such individual if he fails to provide the requested information;

(4) Maintain all records which are used by the Railroad Retirement Board in making any determination about any individual with such accuracy, relevance, timeliness and completeness as is reasonably necessary to assure fairness to the individual in the determination;

(5) Prior to disseminating any record about an individual to any person other than an agency, unless the dissemination is made pursuant to paragraph (j)(1)(ii) of this section, make reasonable efforts to assure that such records are accurate, complete, timely and relevant for purposes of the administration of the Railroad Retirement Act and the Railroad Unemployment Insurance Act;

(6) Maintain no record describing how any individual exercises rights guaranteed by the First Amendment unless expressly authorized by statute or by the individual to whom the record pertains or unless pertinent to and within the scope of an authorized law enforcement activity;

(7) Make reasonable efforts to serve notice on an individual when any record on such individual is made available to any person under compulsory legal process when such process becomes a matter of public record; and

(8) At least thirty days prior to publication of information under paragraph (i) of this section, publish in the Federal Register notice of any new use or intended use of the information in the system and provide an opportunity for interested persons to submit written data, views or arguments to the Railroad Retirement Board.

(m) Fees. The Railroad Retirement Board may assess a fee for copies of any records furnished to an individual under paragraph (d) of this



section. The fees for copies shall be \$0.10 per copy per page, not to exceed the actual cost of reproduction, and should be paid to the Director of Budget and Fiscal Operations for deposit to the Railroad Retirement Account. If payment is made by check, the check should be payable to the order of the Railroad Retirement Board. Any fee of less than \$10 may be waived by the system manager if he determines that it is in the public interest to do so.

(n) Government contractors. When the Railroad Retirement Board provides by a contract or by a subcontract subject to its approval for the operation by or on behalf of the Railroad Retirement Board of a system of records to accomplish an agency function, the Railroad Retirement Board shall, consistent with its authority, cause the requirements of section 552a of Title 5 of the United States Code to be applied to such system. In each such contract or subcontract for the operation of a system of records, entered into on or after September 27, 1975, the Railroad Retirement Board shall cause to be included a provision stating that the contractors or subcontractors and their employees shall be considered employees of the Railroad Retirement Board for purposes of the civil and criminal penalties provided in sections (g) and (i) of the Privacy Act of 1974 (5 U.S.C. 552a (g) and (i)).

(o) Mailing lists. The Railroad Retirement Board shall neither sell nor rent information containing any individual's name or address, unless authorized by statute.

(p) Disclosure of social security account numbers. Whenever an individual is requested by the Railroad Retirement Board to disclose his social security account number he shall be informed as to whether such disclosure is mandatory or voluntary. If disclosure of the individual's social security account number is mandatory, he shall be informed of the statutory authority requiring such disclosure.

(5 U.S.C. 552a)

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